

FEDERAL REGISTER



VOLUME 9

NUMBER 219

✓ Read

Washington, Thursday, November 2, 1944

The President

EXECUTIVE ORDER 9494

AUTHORIZING THE CIVIL SERVICE COMMISSION TO CONFER A CLASSIFIED STATUS UPON CERTAIN EMPLOYEES OF THE DEPARTMENT OF JUSTICE

NOTE: Executive Order 9494, dated October 30, 1944, was filed with the Division of the Federal Register on October 31, 1944, at 2:58 p. m.

EXECUTIVE ORDER 9495

EXTENSION OF THE PROVISIONS OF EXECUTIVE ORDER NO. 9177 OF MAY 30, 1942, TO THE UNITED STATES MARITIME COMMISSION AND THE ADMINISTRATOR OF THE WAR SHIPPING ADMINISTRATION

By virtue of the authority vested in me by the Constitution and laws of the United States, and particularly by Title I of the First War Powers Act, 1941, approved December 18, 1941 (55 Stat. 838), I hereby extend the provisions of Executive Order No. 9177 (7 F.R. 4195) of May 30, 1942, to the United States Maritime Commission and the Administrator of the War Shipping Administration; and, subject to the limitations contained in that order, I hereby authorize the United States Maritime Commission and the Administrator of the War Shipping Administration to perform and exercise, as to their respective agencies, all of the functions and powers vested in and granted to the Secretary of War, the Secretary of the Treasury, the Secretary of Agriculture, and the Reconstruction Finance Corporation by that order.

This order shall be applicable to articles entered for consumption, or withdrawn from warehouse for consumption, on or after August 1, 1944.

FRANKLIN D ROOSEVELT

THE WHITE HOUSE,
October 30, 1944.

[F. R. Doc. 44-16743; Filed, Oct. 31, 1944;
2:58 p. m.]

Regulations

TITLE 29—LABOR

Chapter IX—War Food Administrator
(Agricultural Labor)

[Specific Wage Ceiling Reg. 36]

PART 1102—SALARIES AND WAGES OF AGRICULTURAL LABOR IN THE STATE OF CALIFORNIA

WORKERS ENGAGED IN PICKING AND SNAPPING OF AMERICAN UPLAND COTTON IN CERTAIN CALIFORNIA COUNTIES

§ 1102.15. *Wages of workers engaged in picking and snapping of American upland cotton in the Counties of Kern, Kings, Tulare, Fresno, Madera, and Merced, State of California.* Pursuant to § 4001.7 of the regulations of the Economic Stabilization Director relating to wages and salaries issued August 28, 1943 (8 F.R. 11960, 12139), as amended on December 9, 1943 (8 F.R. 16702) and June 1, 1944 (9 F.R. 6035) and to the regulations of the War Food Administrator issued January 20, 1944 (9 F.R. 831) as revised on October 23, 1944 (9 F.R. 12807), entitled "Specific Wage Ceiling Regulations," and based upon relevant facts submitted by the California WFA Wage Board and obtained from other sources, it is hereby determined that:

(a) *Area, crops and classes of workers.* Persons engaged in picking and snapping of American upland cotton in the Counties of Kern, Kings, Tulare, Fresno, Madera, and Merced, State of California, are agricultural labor as defined in § 4001.1 (1) of the regulations of the Economic Stabilization Director issued on August 28, 1943, as amended (8 F.R. 11960, 12139, 16702, 9 F.R. 6035).

(b) *Wage rates; maximum wage rates for picking and snapping of American upland cotton.*

(1) Picking—\$2.25 per 100 pounds of seed cotton.

(2) Snapping—\$1.50 per 100 pounds of seed cotton.

(c) *Administration.* The California WFA Wage Board located at 2181 Bancroft Way, Berkeley, Calif., will have

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NOTICE

The Cumulative Supplement to the Code of Federal Regulations, covering the period from June 2, 1938, through June 1, 1943, may be obtained from the Superintendent of Documents, Government Printing Office, at \$3.00 per unit. The following are now available:

- Book 1: Titles 1-3 (Presidential documents) with tables and index.
- Book 2: Titles 4-9, with index.
- Book 3: Titles 10-17, with index.
- Book 4: Titles 18-25, with index.
- Book 5, Part 1: Title 26, Parts 2-178.
- Book 5, Part 2: Title 26, completed; Title 27; with index.
- Book 6: Titles 28-32, with index.

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charge of the administration of this order in accordance with the provisions of the specific wage ceiling regulations issued by the War Food Administrator on January 20, 1944 (9 F.R. 831), as revised on October 23, 1944 (9 F.R. 12807).

(d) *Applicability of specific wage ceiling regulations.* This Specific Wage Ceiling Regulation No. 36 shall be deemed to be a part of the specific wage ceiling regulations issued by the War Food Administrator on January 20, 1944 (9 F.R. 831), as revised October 23, 1944 (9 F.R. 12807), and the provisions of such regulations shall be applicable to this Specific Wage Ceiling Regulation No. 36 and any violation of this Specific Wage Ceiling Regulation 36 shall constitute a violation of such specific wage ceiling regulations.

(56 Stat. 765, 50 U.S.C. App. Supp. 961 et seq.; 57 Stat. 63; Pub. Law 34, 78th Cong.; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681; regulations of the Economic Stabilization Director, 8 F.R. 11960, 12139, 16702, 9 F.R. 6035; regulations of the War Food

Administrator, 9 F.R. 655, 12117, 12611, 9 F.R. 831, 12807)

Issued this 31st day of October 1944.

PHILIP G. BRUTON,
Director of Labor,
War Food Administration.

[F. R. Doc. 44-16773; Filed, Nov. 1, 1944;
11:19 a.m.]

[Specific Wage Ceiling Reg. 37]

PART 1102—SALARIES AND WAGES OF AGRICULTURAL LABOR IN THE STATE OF CALIFORNIA

WORKERS ENGAGED IN PICKING OF GRAPES FOR SUN-DRIED RAISINS IN CERTAIN CALIFORNIA COUNTIES

§ 1102.16 *Wages of workers engaged in the picking of grapes for sun-dried raisins in the Counties of Kern, Kings, Tulare, Fresno, Madera, Merced, Stanislaus, and San Joaquin, State of California.* Pursuant to § 4001.7 of the regulations of the Economic Stabilization Director relating to wages and salaries issued August 28, 1943 (8 F.R. 11960, 12139), as amended on December 9, 1943 (8 F.R. 16702) and June 1, 1944 (9 F.R. 6035) and to the regulations of the War Food Administrator issued January 20, 1944 (9 F.R. 831) as revised on October 23, 1944 (9 F.R. 12807), entitled "Specific Wage Ceiling Regulations," and based upon relevant facts submitted by the California WFA Wage Board and obtained from other sources, it is hereby determined that:

(a) *Area, crops and classes of workers.* Persons engaged in the picking of grapes for sun-dried raisins in the Counties of Kern, Kings, Tulare, Fresno, Madera, Merced, Stanislaus, and San Joaquin, State of California, are agricultural labor as defined in § 4001.1 (1) of the regulations of the Economic Stabilization Director issued on August 28, 1943, as amended (8 F.R. 11960, 12139, 16702, 9 F.R. 6035).

(b) *Wage rates; maximum wage rates for picking grapes for sun-dried raisins—(1) For Thompson and Sultana varieties; trays per unit.*

	Cents per tray
(I) 500 and over	5
(II) 400-499	5½
(III) 300-399	5½
(IV) 200-299	5¾
(V) 199 and less	6

(2) *For Muscat varieties; trays per unit.*

	Cents per tray
(I) 500 and over	6½
(II) 400-499	6¾
(III) 300-399	7
(IV) 200-299	7¼
(V) 199 and less	7½

As used herein, the word "unit" means 500 bearing vines and the word "tray" means a tray containing 22 pounds of fresh grapes.

(c) *Administration.* The California WFA Wage Board located at 2181 Bancroft Way, Berkeley, Calif., will have charge of the administration of this order in accordance with the provisions of the specific wage ceiling regulations

issued by the War Food Administrator on January 20, 1944 (9 F.R. 831), as revised on October 23, 1944 (9 F.R. 12807).

(d) *Applicability of specific wage ceiling regulations.* This Specific Wage Ceiling Regulation No. 37 shall be deemed to be a part of the specific wage ceiling regulations issued by the War Food Administrator on January 20, 1944 (9 F.R. 831), as revised October 23, 1944 (9 F.R. 12807), and the provisions of such regulations shall be applicable to this Specific Wage Ceiling Regulation No. 37 and any violation of this Specific Wage Ceiling Regulation 37 shall constitute a violation of such specific wage ceiling regulations.

(56 Stat. 765, 50 U.S.C. App. Supp. 961 et seq.; 57 Stat. 63; Pub. Law 34, 78th Cong.; Pub. Law 383, 78th Cong.; E.O. 9250; 7 F.R. 7871; E.O. 9328, 8 F.R. 4681; regulations of the Economic Stabilization Director, 8 F.R. 11960, 12139, 16702, 9 F.R. 6035; regulations of the War Food Administrator, 9 F.R. 655, 12117, 12611, 9 F.R. 831, 12807)

Issued this 31st day of October 1944.

PHILIP G. BRUTON,
Director of Labor,
War Food Administration.

[F. R. Doc. 44-16772; Filed, Nov. 1, 1944;
11:19 a.m.]

[Specific Wage Ceiling Reg. 38]

PART 1102—SALARIES AND WAGES OF AGRICULTURAL LABOR IN THE STATE OF CALIFORNIA

WORKERS ENGAGED IN PICKING OF CANNING TOMATOES IN CERTAIN CALIFORNIA COUNTIES

§ 1102.17 *Wages of workers engaged in picking of canning tomatoes in the Counties of Monterey, San Benito, Merced, Stanislaus, Santa Clara, Alameda, San Joaquin, Contra Costa, Sacramento, Solano, Napa, Sonoma, Yolo, Butte, Colusa, Placer, San Mateo, Santa Cruz, Sutter, and Yuba, State of California.* Pursuant to § 4001.7 of the regulations of the Economic Stabilization Director relating to wages and salaries issued August 28, 1943 (8 F.R. 11960, 12139), as amended on December 9, 1943 (8 F.R. 16702) and June 1, 1944 (9 F.R. 6035) and to the regulations of the War Food Administrator issued January 20, 1944 (9 F.R. 831), as revised on October 23, 1944 (9 F.R. 12807), entitled "Specific Wage Ceiling Regulations," and based upon relevant facts submitted by the California WFA Wage Board and obtained from other sources, it is hereby determined that:

(a) *Area, crops and classes of workers.* Persons engaged in the picking of canning tomatoes in the Counties of Monterey, San Benito, Merced, Stanislaus, Santa Clara, Alameda, San Joaquin, Contra Costa, Sacramento, Solano, Napa, Sonoma, Yolo, Butte, Colusa, Placer, San Mateo, Santa Cruz, Sutter, and Yuba, State of California, are agricultural labor as defined in § 4001.1 (1) of the regulations of the Economic Stabilization Director issued on August 28, 1943, as amended (8 F.R. 11960, 12139, 16702, 9 F.R. 6035).

(b) *Wage rates; maximum wage rates for picking of canning tomatoes.*

(1) Round tomatoes—17 cents per 50-pound field box.

(2) Pear-shaped tomatoes—21 cents per 50-pound field box.

(c) *Administration.* The California WFA Wage Board, located at 2181 Bancroft Way, Berkeley, California, will have charge of the administration of this order in accordance with the provisions of the specific wage ceiling regulations issued by the War Food Administrator on January 20, 1944 (9 F.R. 831), as revised on October 23, 1944 (9 F.R. 12807).

(d) *Applicability of specific wage ceiling regulations.* This Specific Wage Ceiling Regulation No. 38 shall be deemed to be a part of the specific wage ceiling regulations issued by the War Food Administrator on January 20, 1944 (9 F.R. 831), as revised October 23, 1944 (9 F.R. 12807), and the provisions of such regulations shall be applicable to this Specific Wage Ceiling Regulation No. 38 and any violation of this Specific Wage Ceiling Regulation 38 shall constitute a violation of such specific wage ceiling regulations.

(56 Stat. 765, 50 U.S.C. App. Supp. 961 et seq.; 57 Stat. 63; Pub. Law 34, 78th Cong.; Pub. Law 383, 78th Cong.; E.O. 9250; 7 F.R. 7871; E.O. 9328, 8 F.R. 4681; regulations of the Economic Stabilization Director, 8 F.R. 11960, 12139, 16702, 9 F.R. 6035; regulations of the War Food Administrator, 9 F.R. 655, 12117, 12611, 9 F.R. 831, 12807)

Issued this 31st day of October 1944.

PHILIP G. BRUTON,
Director of Labor,
War Food Administration.

[F. R. Doc. 44-16774; Filed, Nov. 1, 1944;
11:19 a.m.]

[Specific Wage Ceiling Reg. 39]

PART 1102—SALARIES AND WAGES OF AGRICULTURAL LABOR IN THE STATE OF CALIFORNIA

WORKERS ENGAGED IN TREE-PICKING ORANGES IN CERTAIN CALIFORNIA COUNTIES

§ 1102.18 *Wages of workers engaged in tree-picking oranges of the navel variety in the Counties of Fresno, Tulare, and Kern, State of California.* Pursuant to § 4001.7 of the regulations of the Economic Stabilization Director relating to wages and salaries issued August 28, 1943 (8 F.R. 11960, 12139), as amended on December 9, 1943 (8 F.R. 16702) and June 1, 1944 (9 F.R. 6035) and to the regulations of the War Food Administrator issued January 20, 1944 (9 F.R. 831) as revised October 23, 1944 (9 F.R. 12807), entitled "Specific Wage Ceiling Regulations," and based upon a certification of the California WFA Wage Board that a majority of the producers of navel oranges in the area affected have requested the intervention of the War Food Administrator and based upon relevant facts submitted by the California WFA Wage Board and obtained from other sources, it is hereby determined that:

(a) *Area, crops and classes of workers.* Persons engaged in tree-picking of navel oranges.

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oranges in the Counties of Fresno, Tulare, and Kern, State of California, are agricultural labor as defined in § 4001.1 (1) of the regulations of the Economic Stabilization Director issued on August 28, 1943, as amended (8 F.R. 11960, 12139, 16702, 9 F.R. 6035).

(b) *Wage rates; maximum wage rates for tree-picking navel oranges.*

(1) Tree-picking navel oranges—15 cents per standard field box or equivalent cubic-inch capacity.

(c) *Administration.* The California WFA Wage Board, located at 2181 Bancroft Way, Berkeley, California, will have charge of the administration of this order in accordance with the provisions of the specific wage ceiling regulations issued by the War Food Administrator on January 20, 1944 (9 F.R. 831), as revised on October 23, 1944 (9 F.R. 12807).

(d) *Applicability of specific wage ceiling regulations.* This Specific Wage Ceiling Regulation No. 39 shall be deemed to be a part of the specific wage ceiling regulations issued by the War Food Administrator on January 20, 1944 (9 F.R. 831), as revised October 23, 1944 (9 F.R. 12807), and the provisions of such regulations shall be applicable to this Specific Wage Ceiling Regulation No. 39 and any violation of this Specific Wage Ceiling Regulation 39 shall constitute a violation of such specific wage ceiling regulations.

(56 Stat. 765, 50 U.S.C. App. Supp. 961 et seq.; 57 Stat. 63; Pub. Law 34, 78th Cong.; Pub. Law 383, 78th Cong.; E.O. 9250; 7 F.R. 7871; E.O. 9328, 8 F.R. 4681; regulations of the Economic Stabilization Director, 8 F.R. 11960, 12139, 16702, 9 F.R. 6035; regulations of the War Food Administrator, 9 F.R. 655, 12117, 12611, 9 F.R. 831, 12807)

Issued this 31st day of October 1944.

PHILIP G. BRUTON,
Director of Labor,
War Food Administration.

[F. R. Doc. 44-16775; Filed, Nov. 1, 1944;
11:20 a. m.]

[Specific Wage Ceiling Reg. 40]

PART 1102—SALARIES AND WAGES OF AGRICULTURAL LABOR IN THE STATE OF CALIFORNIA

WORKERS ENGAGED IN TREE-PICKING LEMONS
IN CERTAIN CALIFORNIA COUNTIES

§ 1102.19 *Wages of workers engaged in tree-picking lemons in the Counties of Fresno, Tulare, and Kern, State of California.* Pursuant to § 4001.7 of the regulations of the Economic Stabilization Director relating to wages and salaries issued August 28, 1943 (8 F.R. 11960, 12139), as amended on December 9, 1943 (8 F.R. 16702) and June 1, 1944 (9 F.R. 6035) and to the regulations of the War Food Administrator issued January 20, 1944 (9 F.R. 831) as revised on October 23, 1944 (9 F.R. 12807), entitled "Specific Wage Ceiling Regulations," and based upon a certification of the California WFA Wage Board that a majority of the producers of lemons in the area affected

have requested the intervention of the War Food Administrator and based upon relevant facts submitted by the California WFA Wage Board and obtained from other sources, it is hereby determined that:

(a) *Area, crops and classes of workers.* Persons engaged in tree-picking lemons in the Counties of Fresno, Tulare, and Kern, State of California, are agricultural labor as defined in § 4001.1 (1) of the regulations of the Economic Stabilization Director issued on August 28, 1943, as amended (8 F.R. 11960, 12139, 16702, 9 F.R. 6035).

(b) *Wage rates; maximum wage rates for tree-picking lemons.*

(1) Tree-picking lemons—35 cents per standard field box or equivalent cubic inch capacity.

(c) *Administration.* The California WFA Wage Board, located at 2181 Bancroft Way, Berkeley, California, will have charge of the administration of this order in accordance with the provisions of the specific wage ceiling regulations issued by the War Food Administrator on January 20, 1944 (9 F.R. 831) as revised on October 23, 1944 (9 F.R. 12807).

(d) *Applicability of specific wage ceiling regulations.* This Specific Wage Ceiling Regulation No. 40 shall be deemed to be a part of the specific wage ceiling regulations issued by the War Food Administrator on January 20, 1944 (9 F.R. 831), as revised October 23, 1944 (9 F.R. 12807), and the provisions of such regulations shall be applicable to this Specific Wage Ceiling Regulation No. 40 and any violation of this Specific Wage Ceiling Regulation 40 shall constitute a violation of such specific wage ceiling regulations.

(56 Stat. 765, 50 U.S.C. App. Supp. 961 et seq.; 57 Stat. 63; Pub. Law 34, 78th Cong.; Pub. Law 383, 78th Cong.; E.O. 9250; 7 F.R. 7871; E.O. 9328, 8 F.R. 4681; regulations of the Economic Stabilization Director, 8 F.R. 11960, 12139, 16702, 9 F.R. 6035; regulations of the War Food Administrator, 9 F.R. 655, 12117, 12611, 9 F.R. 831, 12807)

Issued this 31st day of October 1944.

PHILIP G. BRUTON,
Director of Labor,
War Food Administration.

[F. R. Doc. 44-16776; Filed, Nov. 1, 1944;
11:20 a. m.]

PART 1103—SALARIES AND WAGES IN THE
PICKING OF CANNING TOMATOES

WORKERS IN CERTAIN CALIFORNIA COUNTIES

The public notice and determination issued by the War Food Administrator on August 24, 1943, as amended (8 F.R. 11779, 11897, 17399), the part name and the title of the notice are hereby revoked: *Provided, however,* That the provisions of said public notice and determination shall continue to remain in full force and effect for the purpose of allowing or sustaining any suit, action, prosecution, or administrative or other proceeding heretofore or hereafter commenced with respect to any violation committed or right or liability accruing under or pursuant to the terms and provisions of such public notice and determination.

under or pursuant to the terms and provisions of such public notice and determination.

(56 Stat. 765, 50 U.S.C. App. Supp. 961 et seq.; 57 Stat. 63; Pub. Law 34, 78th Cong.; Pub. Law 383, 78th Cong.; E.O. 9250; 7 F.R. 7871; E.O. 9328, 8 F.R. 4681; regulations of the Economic Stabilization Director, 8 F.R. 11960, 12139, 16702, 9 F.R. 6035; regulations of the War Food Administrator, 9 F.R. 655, 12117, 12611, 9 F.R. 831, 12807)

Issued this 31st day of October 1944.

PHILIP G. BRUTON,
Director of Labor,
War Food Administration.

[F. R. Doc. 44-16777; Filed, Nov. 1, 1944;
11:19 a. m.]

PART 1104—SALARIES AND WAGES IN THE
PICKING OF GRAPES FOR SUN-DRIED
RAISINS

WORKERS IN CERTAIN CALIFORNIA COUNTIES

The public notice and determination issued by the War Food Administrator on August 26, 1943, as amended (8 F.R. 11845, 17400), the part name and the title of the notice are hereby revoked: *Provided, however,* That the provisions of said public notice and determination shall continue to remain in full force and effect for the purpose of allowing or sustaining any suit, action, prosecution, or administrative or other proceeding heretofore or hereafter commenced with respect to any violation committed or right or liability accruing under or pursuant to the terms and provisions of such public notice and determination.

(56 Stat. 765, 50 U.S.C. App. Supp. 961 et seq.; 57 Stat. 63; Pub. Law 34, 78th Cong.; Pub. Law 383, 78th Cong.; E.O. 9250; 7 F.R. 7871; E.O. 9328, 8 F.R. 4681; regulations of the Economic Stabilization Director, 8 F.R. 11960, 12139, 16702, 9 F.R. 6035; regulations of the War Food Administrator, 9 F.R. 655, 12117, 12611, 9 F.R. 831, 12807)

Issued this 31st day of October 1944.

PHILIP G. BRUTON,
Director of Labor,
War Food Administration.

[F. R. Doc. 44-16778; Filed, Nov. 1, 1944;
11:19 a. m.]

PART 1105—SALARIES AND WAGES IN PICKING
AND SNAPPING OF AMERICAN UPLAND
COTTON

WORKERS IN CERTAIN CALIFORNIA COUNTIES

The public notice and determination issued by the War Food Administrator on October 12, 1943, as amended (8 F.R. 13884, 17291), the part name and the title of the notice are hereby revoked: *Provided, however,* That the provisions of said public notice and determination shall continue to remain in full force and effect for the purpose of allowing or sustaining any suit, action, prosecution, or administrative or other proceeding heretofore or hereafter commenced with re-

spect to any violation committed or right or liability accruing under or pursuant to the terms and provisions of such public notice and determination.

(56 Stat. 765, 50 U.S.C. App. Supp. 961 et seq.; 57 Stat. 63; Pub. Law 34, 78th Cong.; Pub. Law 383, 78th Cong.; E.O. 9250; 7 F.R. 7871; E.O. 9328, 8 F.R. 4681; regulations of the Economic Stabilization Director, 8 F.R. 11969, 12139, 16702, 9 F.R. 6035; regulations of the War Food Administrator, 9 F.R. 655, 12117, 12611, 9 F.R. 831, 12807.)

Issued this 31st day of October 1944.

PHILIP G. BRUTON,
Director of Labor,
War Food Administration.

[F. R. Doc. 44-16779; Filed, Nov. 1, 1944;
11:19 a. m.]

TITLE 32—NATIONAL DEFENSE

Chapter IX—War Production Board

AUTHORITY: Regulations in this chapter, unless otherwise noted at the end of documents affected, issued under sec. 2 (a), 54 Stat. 676, as amended by 55 Stat. 236 and 56 Stat. 177; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; W.P.B. Reg. 1 as amended Dec. 31, 1943, 9 F.R. 64.

PART 903—DELEGATIONS OF AUTHORITY

[Supplementary Directive 1Q, as Amended Nov. 1, 1944]

RATIONING OF TIRES, TIRE CASINGS, TIRE TUBES, GASOLINE, NAPTHA, ETC.

Further delegation of authority with reference to the rationing of tires, tire casings, tire tubes, tire retreading and recapping materials and gasoline.

§ 903.22 Supplementary Directive 1Q. (a) The authority heretofore delegated to the Office of Price Administration by Directive No. 1, § 903.1, is hereby extended to include the exercise of control over:

(1) The sale, transfer, delivery or other disposition of all tires, tire casings, tire tubes, tire retreading and recapping materials, by or to any person;

(2) The use, alteration, mounting, or other disposition of tires, tire casings, tire tubes, tire retreading and recapping materials by any person; and

(3) The sale, transfer, delivery or other disposition of gasoline by any person to any consumer; the use of gasoline by any consumer, the use of gasoline substitutes or gasoline blends by any consumer in a motor vehicle, and the blending of gasoline by any gasoline dealer; and

(4) The sale, transfer, delivery or other disposition of gasoline by any person to any person other than a consumer, to the extent of requiring the delivery of such coupons, certificates or other evidence as the Office of Price Administration may prescribe as a condition to such sale, transfer, delivery or disposition.

(5) The importation by any person, for the personal use of such person, of tires, tire tubes and tire casings.

(6) The sale, transfer, delivery or other disposition of gasoline by any person to any person who stores such gasoline in a drum or other mobile storage facility.

(b) The authority of the Office of Price Administration shall include the power to regulate or prohibit the sale, transfer, delivery or other disposition of tires, tire casings, tire tubes, tire retreading and recapping materials, and gasoline to, or acquisition, use, alteration, mounting or other disposition of said materials and facilities by, any person who has acted in violation of any rationing regulation or order prescribed by the Office of Price Administration.

(c) The authority delegated by this order does not include the power to limit or restrict:

(1) The quantity of the materials and facilities referred to herein obtainable by the Army, Navy, Marine Corps or Coast Guard of the United States, or by government agencies or other persons to the extent to which they acquire such materials or facilities for export to and consumption or use in any foreign country; and

(2) The manufacture of tires, tire tubes, tire casings, tire retreading and recapping materials, or the manufacture, processing, distilling or refining of gasoline; and

(3) The importation, use, sale, transfer, delivery or other disposition of airplane tires, airplane tire casings, or airplane tire tubes.

(4) The importation for testing purposes of tires, tire tubes or tire casings by any manufacturer of camelback, tires, tire tubes or tire casings; and

(5) The importation of bicycle tires, tire tubes or tire casings manufactured in the continental United States, Canada or the British Isles; and

(6) The importation from the Dominion of Canada of tires, tire tubes or tire casings manufactured in the continental United States, Canada or the British Isles; and

(7) The importation of tires, tire tubes or tire casings by diplomatic representatives of any foreign Government, for their personal use or the use of members of their staffs; and

(8) The importation of tires, tire tubes or tire casings by commercial representatives of any foreign Government, for use in their official business.

(d) As used herein:

(1) "Gasoline" means any petroleum product either commonly known or sold as gasoline (including casinghead and natural gasoline) or having an ASTM 50% distillation point lower than 400° F. (ASTM D86-40), and includes, without limitation, rubber solvents, mineral spirits, cleaners' naptha, Stoddard solvents, stove and lamp naptha and V. M. & P. naptha, but does not include, (i) fuel oil as defined in Ration Order 11, (ii) aromatics, synthetic rubber raw materials and other products which are both controlled by an order of the War Production Board and not used or blended for use as fuel in internal combustion engines, (iii) any finished petroleum product having an octane rating of 85 or more (ASTM D357-42T) or any component thereof, used for the propulsion of aircraft, and (iv) liquefied product of petroleum gases.

(2) "Motor vehicle" means any rubber-tired self-propelled conveyance the motive power for which is furnished by an internal combustion engine designed for operation by gasoline and which is built primarily for the purpose of transporting persons or property.

(3) "Tire, tire tube, tire casing, and tire recapping and retreading materials" mean any of the foregoing made in whole or in part of any kind of rubber.

(4) "Rubber" means any form or type of natural, reclaimed, or synthetic rubber, or other similar materials.

(5) "Person" includes any individual, partnership, corporation, association, business trust, government or government agency, or any organized group of persons whether incorporated or not.

(6) "Consumer" means any person acquiring gasoline for use, including use as a component part of any manufactured article, material, or compound other than gasoline. The term includes dealers and distributors to the extent that they use gasoline, or acquire gasoline for use rather than for transfer.

(7) "Gasoline dealer" means any person engaged in the business of selling or transferring gasoline, except a person who transfers, receives, or uses gasoline in such a manner as to be required to account for the state motor fuel taxes imposed thereon directly to the motor fuel tax administration of a state.

(8) "Aviation gasoline" means any finished petroleum product used in aircraft or aircraft engines, as defined in paragraph (j) (1) of WPB Directive No. 38.

(e) This supplementary directive supersedes the delegation of authority to the Office of Price Administration made by Supplementary Order M-15-c, § 940.4, as amended, Supplementary Directive No. 1-B, § 903.3, as amended, and Supplementary Directive No. 1-H, § 903.9, as amended: *Provided, however,* That all action heretofore taken (including, without limitation, regulations or orders heretofore issued) by the Office of Price Administration pursuant thereto or pursuant to said supplementary directives as originally issued, is hereby ratified, approved and confirmed, and the authority so delegated shall continue to remain in full force and effect with respect to all such action which is not inconsistent with the terms of this directive, for all purposes including the purpose of allowing or sustaining any suit, action, prosecution or administrative or other proceeding heretofore or hereafter commenced with respect to any violation heretofore committed or right or liability heretofore incurred under or pursuant to the terms thereof.

(f) Notwithstanding the provisions of Directive 1 or of this Supplementary Directive 1Q, the Office of Price Administration shall exercise no control over:

(1) The delivery of aviation gasoline into the tank of an aircraft or aircraft engine test stand (other than those of the agencies or other persons specified in paragraph (c) (1) of this directive) if the delivery is made by a person who is engaged in the sale of aviation gasoline at an airport designated by the Administrator of Civil Aeronautics, who ac-

quires that gasoline for that purpose and is designated by the Administrator of Civil Aeronautics as a retail vendor of aviation gasoline;

(2) The quantity of aviation gasoline that may be acquired by such a retail vendor for such purpose or by a person for delivery into the tank of his own aircraft or aircraft engine test stand; or

(3) The use of aviation gasoline in an aircraft or aircraft engine test stand.

Issued this 1st day of November 1944.

J. A. KRUG,
Chairman.

[F. R. Doc. 44-16794; Filed, Nov. 1, 1944;
11:58 a. m.]

PART 903—DELEGATIONS OF AUTHORITY

[Directive 38, as Amended Nov. 1, 1944]

DISTRIBUTION OF AVIATION GASOLINE OF 73 AND 80 OCTANE RATINGS FOR CIVILIAN AVIATION PURPOSES AIRCRAFT OR AIRCRAFT ENGINES

Pursuant to the authority vested in me by Executive Order 9024 of January 16, 1942, Executive Order 9040 of January 24, 1942, and Executive Order 9126 of April 7, 1942, and in order to facilitate the efficient distribution and use of aviation gasoline as hereinafter defined, it is ordered:

§ 903.52 Directive No. 38. (a) The Administrator of Civil Aeronautics shall perform the functions and exercise the power, authority and discretion conferred upon the President by section 2 (a) of the Act of June 28, 1940 (Pub. No. 671, 76th Congress, 54 Stat. 676) as amended by the Act of May 31, 1941 (Pub. No. 89, 77th Congress, 55 Stat. 236) and as further amended by Title III of the Second War Powers Act, March 27, 1942 (Pub. No. 507, 77th Congress, 58 Stat. 176), with respect to the exercise of control over:

(1) The use of aviation gasoline by any consumer in aircraft or aircraft engines; and

(2) The sale, transfer, delivery or other disposition of aviation gasoline by any person to any consumer, and

(3) The sale, transfer, delivery or other disposition of aviation gasoline by any person to any person other than a consumer to the extent of requiring the delivery of such certificates or other evidence as the Administrator of Civil Aeronautics may prescribe as a condition to such sale, transfer, delivery, or disposition.

The Office of Price Administration shall retain the power, co-extensive with the Administrator of Civil Aeronautics, to exercise until November 1, 1944, the controls specified in this paragraph. On and after November 1, 1944, the Office of Price Administration is authorized to exercise such control over the sale, transfer, delivery or other disposition of and over the use of aviation gasoline as is provided in Supplementary Directive 1Q as amended.

(b) The authority of the Administrator of Civil Aeronautics shall include the power to regulate or prohibit the sale, transfer or delivery or other disposition of aviation gasoline by any person who has acted in violation of any order or regulation prescribed by the Administrator of Civil Aeronautics in accordance with this directive.

(c) The authority delegated by this directive does not include, however, the power to limit or restrict the quantity or use of aviation gasoline obtainable by the Army, Navy, Marine Corps or Coast Guard of the United States, or by government agencies or other persons to the extent to which they acquire such gasoline for export to and use in any foreign country.

(d) The Administrator of Civil Aeronautics is authorized to perform the functions and exercise the authority delegated to him by paragraphs (a) and (b) hereof upon such conditions and to such extent as he shall deem necessary or appropriate in the public interest, to promote the national defense, to minimize the unessential use of aviation gasoline and, in accordance with the provisions of Executive Order 9125, to require such reports and the keeping of such records, subject to the Federal Reports Act of 1942, and to make such investigations as he may deem necessary or appropriate for the administration of the powers conferred by this directive.

(e) The Administrator of Civil Aeronautics may exercise the power, authority and discretion conferred upon him by this directive through such of his personnel and in such manner as he may determine, and may accept the services of other departments and officials of the government in carrying out the purposes of this directive.

(f) Nothing herein shall be construed to limit or modify any regulation, order or directive heretofore issued by or under the authority of the Chairman of the War Production Board and now outstanding except as specifically set forth in paragraph (h) below, nor to terminate nor limit the power of the Chairman of the War Production Board to issue further directives, regulations or orders regulating the delivery or use of aviation gasoline nor to affect the authority vested in the Chairman of the War Production Board pursuant to Executive Orders 9024, 9040, and 9125 to determine the relative importance of deliveries or uses and certify as to the preferential treatment to be accorded them with respect to the delivery or use of aviation gasoline.

(g) The Administrator of Civil Aeronautics will, from time to time, advise the Petroleum Administration for War as to the amount of aviation gasoline required for essential civilian aviation purposes and may receive from the Petroleum Administration for War allocations of aviation gasoline to meet such purposes.

(h) Notwithstanding the provisions of Directive 1 (§ 903.1) the Office of Price Administration shall have no authority with respect to the exercising of distribution or rationing control over aviation gasoline as defined herein except to the extent stated in paragraph (a) hereof.

(i) The War Production Board may, from time to time, formulate and advise the Administrator of Civil Aeronautics as to policies and programs for the distribution and use of aviation gasoline and request reports on the Administrator's activities under this directive.

(j) For the purposes of this directive, the following definitions shall apply:

(1) "Aviation gasoline" means any finished petroleum product used in aircraft or aircraft engines, having a knock rating of 86 octane number or lower when tested by the ASTM Aviation Method (ASTM Designation D-614-43T) or a knock rating of 85 octane number or lower when tested by the ASTM Motor Method (ASTM Designation D-357-43T), including but not limited to aviation gasolines of 73 octane number and 80 octane number hereinafter defined as follows:

"73 Octane Number" shall include all gasoline which, after the addition of not more than 1.0 cc Tetraethyl Lead per U. S. gallon, has a knock rating of not less than 73 Octane Number by the ASTM Aviation Method (ASTM Designation D-614-43T) or a knock rating of not less than 72 Octane Number by the ASTM Motor Method (ASTM-D-357-43T), and which meets, in all other respects, the quality requirements imposed by Army-Navy Aeronautical Specification AN-F-23 and Amendment One dated October 19, 1943, for Grade 73 aircraft engine fuel.

"80 Octane Number" shall include all gasoline which, after the addition of not more than 2.00 cc Tetraethyl Lead per U. S. gallon, has a knock rating of not less than 80 Octane Number by the ASTM Aviation Method (ASTM Designation D-614-43T) or a knock rating of not less than 79 Octane Number by the ASTM Motor Method (ASTM-D-357-43T), and which meets, in all other respects, the quality requirements imposed by Army-Navy Aeronautical Specification AN-F-24 and Amendment One dated October 19, 1943, for Grade 80 aircraft engine fuel.

(2) "Person" includes any individual, partnership, association, business trust, government or government agency or any organized group of persons, whether incorporated or not.

(3) "Consumer" means any person acquiring aviation gasoline for use in an aircraft or aircraft engine.

(4) "Aircraft" means any contrivance now known or hereafter invented, used or designated for navigation of or flight in the air; and "aircraft engine" means an engine used or intended to be used for propulsion of aircraft.

Issued this 1st day of November 1944.

J. A. KRUG,
Chairman.

[F. R. Doc. 44-16795; Filed, Nov. 1, 1944;
11:58 a. m.]

PART 1117—GAS MASKS AND ANTI-GAS DEVICES

[Limitation Order L-57, Revocation]

Section 1117.1 Limitation Order L-57 is hereby revoked. This revocation does

not affect any liabilities incurred under the order.

Issued this 1st day of November 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-16799; Filed, Nov. 1, 1944;
11:59 a. m.]

PART 1200—CIVILIAN DEFENSE HELMETS

[Limitation Order L-105, Revocation]

Section 1200.1 *Limitation Order L-105* is hereby revoked. This revocation does not affect any liabilities incurred under the order.

Issued this 1st day of November 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-16800; Filed, Nov. 1, 1944;
11:59 a. m.]

PART 1214—INCENDIARY UNITS

[Limitation Order L-115, Revocation]

Section 1214.1 *General Limitation Order L-115* is hereby revoked. This revocation does not affect any liabilities incurred under the order.

Issued this 1st day of November 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-16801; Filed, Nov. 1, 1944;
11:59 a. m.]

PART 3290—TEXTILE, CLOTHING AND LEATHER

[Conservation Order M-317, Direction 2]

PRIORITIES ASSISTANCE FOR COTTON TEXTILES FOR THE PRODUCTION OF HOOK AND EYE TAPE

The following direction is issued pursuant to Conservation Order M-317:

Manufacturers of hook and eye tape may apply on Form WPB-2842 for priorities assistance to obtain cotton print cloth and outing flannel to be used for the manufacture of hook and eye tape. Applications must be filed with the War Production Board, Textile, Clothing and Leather Bureau, Washington 25, D. C., not later than November 8, 1944. Materials for which priorities assistance is given must be purchased for delivery not later than December 31, 1944, and must be consumed in the production of hook and eye tape prior to January 31, 1945.

The total amount of material for which priorities assistance will be granted under this program is limited. If the applications received exceed the total quantity of material allotted to this program, applications will be granted pro rata.

Issued this 1st day of November 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-16796; Filed, Nov. 1, 1944;
11:58 a. m.]

PART 3290—TEXTILE, CLOTHING AND LEATHER

[Conservation Order M-328B, Supp. VIII to Schedule A, as Amended Oct. 31, 1944]

The following Supplement VIII to Schedule A is issued pursuant to Conservation Order M-328B. (§ 3290.120a).

CHILDREN'S APPAREL PROGRAM NO. 3

NOTE: Tables amended Oct. 31, 1944.

Item No.	Items	Size ranges	Minimum yds. per dozen	Price ranges up to and includ- ing
1	Creepers, rompers, crawlers.	6 months to 2 years.	11	\$8.50
2	Two-piece button-on pajamas with extra pants.	1 to 4.	24	10.50
3	Gowns	1 to 3.	12	4.50
4	One-piece pajamas without feet.	2 to 8.	19½	8.50
5	Two-piece jacket-type pajamas.	3 to 8.	26	10.50
6	Gowns	2 to 8.	17	7.50
7	Jacket type pajamas.	8 to 16.	35	12.00
8	Gowns	8 to 16.	31	10.50
9	Infants' gowns	Infants.	8	4.50
10	Infants' kimonos	Infants.	8	4.50
11	Infants' gertrudes	Infants.	6	4.50
12	Two-piece button-on pajamas.	1 to 4.	22	10.50
13	One-piece pajamas	2 to 8.	19½	8.50
14	Jacket-type pajamas	8 to 16.	35	13.50
15	Kimonos	Infants.	10	4.50
16	Gowns	Infants.	10	4.50
17	Gertrudes	Infants.	7½	4.50
18	Infants' dresses	0 to 1 year.	10	9.75
19	Toddlers' dresses	1 to 3.	12	10.50
20	Children's dresses	3 to 6X.	18	10.50
21	Overalls and coveralls	1 to 4.	10½	9.00
22	Deleted Oct. 31, 1944.			
23	Deleted Oct. 31, 1944.			
24	Overalls and coveralls	2 to 6X.	12½	10.50
25	Boys' wash suits, toddlers'	1 to 4.	13	9.25
26	Boys' wash suits, juvenile.	2 to 6X.	15½	10.50
27	Underwear, girls' panties.	2 to 12.	5½	3.75
28	Slips, toddlers'	1 to 3.	5½	3.75
29	Slips, girls' (Gertrude type)	2 to 14.	10½	6.75
30	Slips, girls' (shoulder strap).	10 to 16.	15	9.75
31	Girls' blouses	1 to 6.	8	8.50
32	Girls' Blouses	7 to 14.	13½	9.75
33	Boys' Shirts and Blouses	3 to 10.	13	8.50
34	Boys' Shirts, Neck Band Sizes.	11 to 14½.	23	10.50
35	Boys' Pants, Short	4 to 10.	12	12.00
36	Boys' Pants, Long or Knickers.	4 to 18.	18	16.50
37	Boys' Underwear, Shorts.	6 to 16.	9½	3.25
38	Children's Dresses	7 to 14.	26	15.75

Item No. and Materials— Minimum construction allowed:	Size distribution per dozen (1st line indicates size; 2nd line specifies the number of each size)
1. Carded Poplin 100 x 44; Carded Broadcloth 100 x 60.	Even.
2. Outing Flannels.	1-2-3-4. 2-4-4-2.
3. Outing Flannels.	Normal Industry Practice
4. Outing Flannels.	2-4-6-8. 2-2-4-4.
5. Outing Flannels.	Normal Industry Practice
6. Outing Flannels.	Normal Industry Practice
7. Outing Flannels.	8-10-12-14-16. 2-2-3-8-2.
8. Outing Flannels.	8-10-12-14-16. 2-2-3-8-2.

CHILDREN'S APPAREL PROGRAM NO. 3—Con.

Item No. and Materials— Minimum construction allowed:	Size distribution per dozen (1st line indicates size; 2nd line specifies the number of each size)
9. Outing Flannels.	Normal Industry Practice
10. Outing Flannels.	Normal Industry Practice
11. Outing Flannels.	Normal Industry Practice
12. Print Cloth 64 x 56, Plissed.	Normal Industry Practice
13. Print Cloth 64 x 56, Plissed.	2-2-4-4.
14. Print Cloth 64 x 56, Plissed.	8-10-12-14-16. 2-2-3-3-2.
15. Print Cloth 64 x 56, Plissed.	Normal Industry Practice
16. Print Cloth 64 x 56, Plissed.	Normal Industry Practice
17. Print Cloth 64 x 56, Plissed.	Normal Industry Practice
18. Lawns 76 x 72; Lawns 96 x 100; Batiste; Carded Broadcloth 100 x 60.	Even.
19. Carded Poplin 100 x 44; Carded Broadcloth 80 x 60; Print Cloth 68 x 64; Lawns 76 x 72; Carded Broadcloth 100 x 60.	1-2-3. 2-4-6.
20. Carded Poplin 100 x 44; Carded Broadcloth 80 x 60; Print Cloth 68 x 64; Carded Broadcloth 100 x 60.	3-4-5-6-6X. 1-2-3-3-3.
21. Sport Denim; Chambray — Lighter than 3.90 yd.; Three-leaf Twills.	1-2-3-4. 3-3-3-3.
22. Deleted Oct. 31, 1944.	
23. Deleted Oct. 31, 1944.	
24. Sport Denim, Chambray — Lighter than 3.90 yd.; Three-leaf Twills.	2-3-4-5-6-8. 1-2-2-2-2-3.
25. Carded Poplin 100 x 44; Carded Broadcloth 100 x 60; Print Cloth 68 x 64; Carded Broadcloth 112 x 60; Carded Broadcloth 80 x 60.	Normal Industry Practice.
26. Carded Poplin 100 x 44; Carded Broadcloth 100 x 60; Print Cloth 68 x 64; Carded Broadcloth 112 x 60; Carded Broadcloth 80 x 60.	Normal Industry Practice.
27. Carded Broadcloth 100 x 60; Carded Broadcloth 80 x 60.	2-4-6-8-10-12. 1-2-2-3-2-2.
28. Lawns 76 x 72; Carded Broadcloth 80 x 60.	1-2-3. 4-4-4.
29. Lawns 76 x 72; Carded Broadcloth 80 x 60; Carded Broadcloth 100 x 60; Print Cloth 68 x 64.	2-4-6-8-10-12-14. 1-2-2-3-2-1-1.
30. Lawns 76 x 72; Carded Broadcloth 100 x 60; Print Cloth 68 x 64.	10-12-14-16. 1-4-4-3.

FEDERAL REGISTER, Thursday, November 2, 1944

CHILDREN'S APPAREL PROGRAM NO. 3—Con.

Item No. and Materials—
Minimum construction allowed:

Item No.	Size distribution per dozen (1st line indicates size; 2nd line specifies the number of each size)	Normal Industry Practice
31. Carded Broadcloth 100 x 60; Carded Broadcloth 80 x 60; Dimity.	7-8-10-12-14. 2-2-3-3-2.	
32. Carded Poplin 100 x 44; Carded Broadcloth 80 x 60; Dimity; Carded Broadcloth 100 x 60.		
33. Carded Broadcloth 100 x 60; Print Cloth 68 x 64; Carded Broadcloth 80 x 60; Print Cloth 72 x 68; Print Cloth 70 x 67.	3-4-6-8-10. 2-2-3-3-2.	
34. Carded Broadcloth 100 x 60; Print Cloth 68 x 64; Carded Broadcloth 80 x 60; Print Cloth 72 x 68; Print Cloth 70 x 67.		Normal Industry Practice.
35. Corduroy-----		Normal Industry Practice.
36. Corduroy-----		Normal Industry Practice.
37. Print Cloth 64 x 56.		Normal Industry Practice.
38. Carded Broadcloth 100 x 60; Print Cloth 68 x 64; Broadcloth 80 x 60; Carded Poplin 100 x 44; Print Cloth 70 x 67; Chambray less than 3.90 weight.		Normal Industry Practice.

Application Form WPB-3732,
Filing date: November 15, 1944.

These items are required to be produced during December 1944 and January and February 1945.

Priorities assistance will be given only for materials specified above with respect to each item.

Applicants should base their estimated production on their present labor and machinery.

The items must be produced for sale by the applicant at or below the lower of the following two prices: The applicant's OPA ceiling price for the item; or the highest price per dozen listed above for the item.

Each applicant whose application is granted is required to produce the items in accordance with the following minimum standards and specifications:

(1) **Yardage limitations.** The minimum linear yardage per dozen garments for 35" to 36" finished goods shall be as specified in the column headed "minimum yardage", based on the size assortment specified in the column headed "size distribution per dozen". Other size assortments are permissible but pro rata yardage shall apply.

(2) **Seams, stitching, and construction.** All structural seams shall be made with not less than 10 stitches per inch, except overlock stitch which shall be made with not less than 8 stitches per inch. No raw edges of fabric will be permitted in seams, and all seams must be so constructed as to minimize raveling. For all fabrics, except flannellette, a seam overlap allowance of not less than $\frac{1}{8}$ " from the edge of the cut material to the inner stitch shall be provided. The inner stitch is defined as the first line of stitching joining two pieces of fabric. Seams shall be finished at least by pinking. When pinked, a fabric

allowance of not less than $\frac{3}{8}$ " clear after pinking shall be provided. For flannellette, the minimum construction shall be overlock seam, with $\frac{1}{2}$ " allowance; plain pinked seams shall not be permitted in flannellette.

(3) **Workmanship.** These garments shall be made in accordance with the manufacturer's standards previously established for the similar or nearest higher price range of cotton garment manufactured during the six month period between July 1, 1943 and December 31, 1943. Such standards shall apply to workmanship, inspection, pressing, folding, and other operations involved from the receipt of the goods to the preparations of the completed garments for marketing.

Additional rules applicable to granting assistance

(1) Applications of any person able to produce a particular item within the price range permitted in this Program, will be entertained.

(2) If the applications exceed the quantity of production of a particular item required, grants of priority assistance will be made on the basis of the percentage of each application needed to fill the requirements.

(3) Paragraphs (d) (1) and (d) (2) of Conservation Order M-328B do not apply to this Program.

(4) Applications that are not completely and accurately filled out may be denied.

(5) Each applicant is required to state in his application with respect to each item for which he applies, the quantity of the particular construction of fabrics he has in inventory at the time of making the application.

Issued this 31st day of October 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-16744; Filed, Oct. 31, 1944;
4:20 p. m.]

PART 3293—CHEMICALS

[General Allocation Order M-300, Schedule 60]

POLYETHYLENE

§ 3293.1060 Schedule 60 to General Allocation Order M-300—(a) Definitions. (1) "Polyethylene" means the entire range of polymers of ethylene, whether or not compounded with other materials, when such polymers are in the form of granules, molding powder, and sheets, rods or tubes in primary form. The term shall not include polyethylene in any fabricated form, such as molded parts (other than sheets, rods and tubes), cables and coated fabric.

(2) "Polyethylene scrap" means scrap from which usable polyethylene can be recovered.

(3) "Scrap dealer" means any person who purchases polyethylene scrap for resale as scrap, without further processing except cleaning and sorting.

(b) General restrictions. Polyethylene is subject to allocation under General Allocation Order M-300 as an Appendix A material. The initial allocation date is October 1, 1943, when polyethylene was first put under allocation by Order M-348 (revoked). The allocation period is the calendar month and the small order exemption is 25 pounds per person per month, for experimental purposes only.

(c) Exemptions for polyethylene scrap.

(1) Polyethylene scrap may be delivered by any person to a scrap dealer, and may be cleaned and sorted by the scrap

dealer, without application or specific authorization.

(2) Any person, including a scrap dealer, may deliver polyethylene scrap to any person who produces polyethylene, and the producer receiving the scrap may reprocess it into polyethylene, without application or specific authorization.

(d) Transition from M-348. Regular and interim allocations heretofore issued under Order M-348 are effective under this schedule, but are limited in duration as if originally issued under this schedule.

(e) Suppliers' applications on WPB-2946. Each supplier seeking authorization to deliver shall file application on Form WPB-2946 (formerly PD-601). Filing date is the 20th day of the month before the requested allocation month. Send three copies (one certified) to the War Production Board, Chemicals Bureau, Washington 25, D. C., Ref: M-300-60. The unit of measure is pounds. An aggregate quantity may be requested, without specifying customers' names, for delivery on exempt experimental small orders. Fill in Table II.

(f) Customers' applications on Form WPB-2945. Each person seeking authorization to use or accept delivery shall file application on Form WPB-2945 (formerly PD-600). Filing date is the 15th day of the month before the requested allocation month. Send three copies (one certified) to the War Production Board, Chemicals Bureau, Washington 25, D. C., Ref: M-300-60, and one copy (reverse side blank) to the supplier. The unit of measure is pounds. Fill in Column 3 in terms of the following:

Wire and cable (identify)
Other primary product (specify)
Export (in original form)
Inventory (in original form)
Resale (in original form)

Specify end use in Column 4 as required by paragraph (11-a) of Appendix E of Order M-300. Fill in other columns of Table I, and fill in Tables II and III, as indicated. Leave Tables IV and V blank.

(g) Budget Bureau approval. The above reporting requirements have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(h) Communications to War Production Board. Communications concerning this schedule shall be addressed to War Production Board, Chemicals Bureau, Washington 25, D. C., Ref: M-300-60.

Issued this 1st day of November 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-16797; Filed, Nov. 1, 1944;
11:59 a. m.]

PART 3293—CHEMICALS

[Allocation Order M-348, Revocation]

POLYETHYLENE

Section 3293.511 Allocation Order M-348 is hereby revoked. This revocation does not affect any liabilities incurred under the order.

Polyethylene is subject to allocation under General Allocation Order M-300 as an Appendix A material, subject to

Schedule 60 issued simultaneously with this revocation.

Regular and interim allocations heretofore issued under Order M-348 are effective under this schedule, but are limited in duration as if originally issued under this schedule.

Issued this 1st day of November 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-16798; Filed, Nov. 1, 1944;
11:59 a. m.]

Chapter XI—Office of Price Administration

PART 1432—RATIONING OF CONSUMERS' DURABLE GOODS

[RO 9A,¹ incl. Amdts. 1-17]

STOVES

This compilation of Ration Order 9A includes Amendment 17, effective November 4, 1944. The text added or amended by Amendment 17 is underscored; revocation indicated by note.

The War Production Board has determined that the curtailment of the production of stoves as an aid to conservation of scarce materials and manpower also requires, in the interests of the war effort, broadening of the stove rationing program to effect a fair distribution of the limited supply available for civilian use. To accomplish the purpose, Ration Order No. 9, which has been in effect since December 19, 1942, is supplanted by a new Ration Order 9A, effective August 24, 1943.

Ration Order 9A expands the scope of the program heretofore in effect with respect to the area in which stoves are rationed, the types of stoves rationed, and the control of distribution at trade levels. Whereas under Ration Order No. 9 only new domestic heating stoves were rationed, and were rationed only in the states where fuel oil is rationed, the new order covers nearly all types of new domestic cooking stoves as well as of heating stoves, and applies to all forty-eight (48) states and the District of Columbia. And whereas under Ration Order No. 9 control over the distribution of stoves was confined to persons who sold to consumers, the present order extends distribution control to all levels, from manufacturers through distributors and dealers to consumers.

The eligibility standards which consumers had to meet to be entitled to a stove certificate under Ration Order No. 9 have been carried over, without substantial change, into the new order. However, the need for conserving certain types of fuels, such as oil or gas, in areas where those fuels are scarce as compared with other fuels, is reflected in certain additional restrictions upon eligibility, applicable in the areas where those fuels are relatively scarce. In addition, a system of quotas is instituted under the new program in order to balance supply and distribution. Equitable distribution of the available supply will also be promoted by adoption of the "flow-back" system through all levels of the trade, a control procedure which in other rationing programs has proved in-

strumental in directing supply to areas of demand and thereby preventing accumulation of stocks urgently needed by dealers and distributors in other localities.

The Army, Navy and other exempt agencies will continue to obtain their stoves under the priority order system of the War Production Board. Similarly, persons who need stoves for export and those who need them in projects authorized by that Board will continue to follow the procedure now used. Stoves obtained by these users will not be charged to civilian supply quotas.

§ 1432.68 Rationing of stoves. Under the authority vested in the Price Administrator by Executive Order No. 9125, issued by the President on April 7, 1942; and by Directive No. 1, and Supplementary Directive No. 1-S of the War Production Board, issued on January 24, 1942, and May 8, 1943, respectively, Ration Order 9A, which is annexed hereto and made a part hereof, is hereby issued.

AUTHORITY: § 1432.68 issued under Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421, 507 and 729, 77th Cong.; E.O. 9125, 7 F.R. 2719; WPB Dir. 1, 7 F.R. 562, and Supp. Dir. 1-S, 8 F.R. 6018.

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ARTICLE I—INTRODUCTION²

SECTION 1.1 Stoves covered by this order (a) This order covers "new" heating, cooking, and combination heating and cooking "stoves" designed for use in the household, for installation on or above the floor, and for the use of coal, wood, oil, naphtha, kerosene, gasoline or gas as a fuel. It also covers conversion burners used in converting heating or cooking stoves to the use of oil. This order does not cover any equipment which has been used more than 60 days, nor does it apply to electric, charcoal or alcohol stoves, gas hot plates, gas laundry stoves, coal-wood-burning laundry stoves, furnaces, waterheaters, wick-lamp cooking stoves, gasoline camp stoves, or wood-burning sheet metal heating stoves which are not equipped with grates or cast iron base or cast iron linings, or equipment designed for commercial, industrial, agricultural or institutional use, or gas cooking stoves which have asbestos or other non-metallic outside panels.

[Paragraph (a) amended by Am. 12, 9 F.R. 9721, effective 8-15-44]

SEC. 1.2 Stoves are classified according to type. (a) There are eight "types" of equipment covered by this order: heating stoves of three fuel types: (1) coal or wood heating stoves, (2) oil heating stoves (including those using naphtha, kerosene or gasoline as a fuel), (3) gas

heating stoves; cooking stoves of the same three fuel types: (4) coal or wood cooking stoves, (5) oil cooking stoves (including those using naphtha, kerosene or gasoline as a fuel), (6) gas cooking stoves, (7) "combination stoves"; and (8) conversion burners. Whenever the word "stove" is used in this order, without referring to any particular type, all eight types are being referred to.

[Paragraph (a) amended by Am. 8, 9 F.R. 3946, effective 4-15-44; and Am. 12, 9 F.R. 9721, effective 8-15-44]

(b) Certain special provisions covering coal or wood heating and coal or wood cooking stoves appear in Article XIV.

[Paragraph (b) added by Am. 16, 9 F.R. 12536, effective 10-16-44]

SEC. 1.3 How stoves are rationed. (a) Stoves are rationed among eligible "consumers" through the issuance by "boards" of "certificates" on OPA Form R-901. (The eligibility requirements are given in sections 2.3 to 2.5, inclusive, and in section 2.8). A certificate may be used to buy or "acquire" only the type of stove shown on its face. "Persons" who sell stoves replenish their stocks by giving up to the persons from whom they acquire stoves, certificates which they get from their customers or from their boards.

[Paragraph (a) amended by Am. 8, 9 F.R. 3946, effective 4-15-44]

(b) The total number of certificates which a board may issue to consumers is limited by quotas set for that board during periods fixed by the Office of Price Administration. The "Washington Office" may allocate or direct the allocation of quotas and reserve quotas for each type of stove covered by this order for such areas and such periods of time as it may determine, and it may at any time adjust, readjust or revoke such quotas and alter or otherwise change such areas or periods of time.

(c) This order is not intended to limit or restrict the quantity of stoves obtainable by the Army, Navy, Marine Corps, Coast Guard, War Shipping Administration or Maritime Commission of the United States (called exempt agencies in this order); or by agencies of the United States or other persons to the extent to which they acquire stoves for export to and consumption or use in any foreign country or territory or possession of the United States (other than the District of Columbia); or by agencies of the United States or other persons to the extent to which they acquire stoves for installation in a project when the installation by such agencies or persons has been specifically authorized by the War Production Board by the issuance of an order in the series designated P-19, P-55, or P-110; or by persons engaged in the business of manufacturing or assembling new house trailers to the extent to which they acquire stoves for installation in such house trailers. Transfers to or for these agencies or persons and the replenishment of stoves thus transferred by dealers and distributors are made under applicable priority orders of other agencies of the United States.

[Paragraph (c) amended by Am. 4, 9 F.R. 92, effective 1-6-44]

² Words which are specially defined in this order are shown in quotation marks the first time they appear in each article. Definitions are given in section 13.1 (a) of this order.

ARTICLE II—CONSUMERS

SEC. 2.1 Who is a consumer. (a) Any "person" who needs or has "acquired" a "new stove" for any use is a "consumer." The term consumer includes also: (1) a lessor of premises who needs or has acquired a new stove for the use of a tenant occupying such premises, or who installs in such premises for the use of his tenant, a new stove he holds for sale or other transfer; (2) a person who needs or has acquired a new stove for installation in premises which he is offering for rent, or who installs in such premises a new stove he holds for sale or other transfer; and (3) any person who uses a new stove which he holds for sale or other transfer, except that a dealer, distributor or manufacturer is not a consumer as to a stove he demonstrates or exhibits as part of the business of transferring stoves.

(b) However, an exempt agency or a person acquiring a stove for export or for installation in a project authorized by the War Production Board by the issuance of an order in the P-19, P-55 or P-110 series (unless the person to whom the War Production Board authorization was issued is relieved from the responsibility for installing a stove in that project by the National Housing Agency) or for installation in a house trailer which he is currently manufacturing or assembling (that is, a person or agency specified in section 1.3 (c)) is not a consumer within the meaning of this order.

[Sec. 2.1 amended by Am. 3, 8 F.R. 15254, effective 11-8-43; and Am. 4, 9 F.R. 92, effective 1-6-44]

SEC. 2.2 Consumer orders. (a) The manner in which a consumer's order may be placed and accepted is set forth in section 6.3 (a).

[Sec. 2.2 amended by Am. 4, 9 F.R. 92, effective 1-6-44 and Am. 15, 9 F.R. 11853, effective 9-27-44]

SEC. 2.3 Heating stoves; eligibility requirements—(a) Who is eligible. Any consumer who needs a stove to heat essential living or working space, or space in which there is carried on an activity which contributes to the war effort or to the public welfare (or who needs a heating stove for installation in space which is being offered for rent to be so used) is eligible for a certificate if he comes within at least one of the following classes:

(1) He has no equipment for that purpose; or

(2) He has for that purpose only heating equipment which is worn out or damaged and cannot be repaired within a reasonable time or at a reasonable cost; or

(3) He has for that purpose only heating equipment, the use of which is prohibited by state or local law, or in the case of oil heating equipment, the equipment cannot be used because the transfer or use of oil for its operation is prohibited by federal law; or

(4) He has for that purpose only heating equipment for which there is no adequate flue or chimney or other means of venting, and one cannot be provided within a reasonable time or at a reasonable cost; or

(5) He has for that purpose only heating equipment which no member of the occupant's household is physically able to operate when required to supply sufficient heat to meet the occupant's minimum heating requirements for health, and the service of any other person for such purpose cannot be obtained except at unreasonable expense; or

(6) He has for that purpose only gas heating equipment which cannot be used because the War Production Board prohibits the delivery of gas for its operation or because the parts or materials needed to install that equipment are not available; or

(7) He has for that purpose only gas heating equipment using liquefied or bottled gas which cannot be used because the materials needed for its operation are not available; or

(8) The District Director has designated the area as one in which a sufficient supply of the fuel for the operation of the equipment he has for that purpose is not available and the equipment cannot be used because the fuel is unavailable.

(b) *The type of equipment for which the consumer may be given a certificate.* A consumer who is eligible may be given a certificate for any one of the following types of stoves:

(1) [Deleted]

[Subparagraph (1) deleted by Am. 16, 9 F.R. 12536, effective 10-16-44]

(2) An oil heating stove or a conversion burner under one of the following conditions:

(i) For use outside the "emergency oil shortage area", or

(ii) For use inside that area to replace oil heating equipment; or

(iii) For use inside that area if a coal or wood stove is not adequate for the purpose. However, if the consumer claims that a coal or wood stove is not adequate for the purpose because a sufficient supply of fuel for its operation is not available, the board may not issue him a certificate for an oil heating stove unless the OFA District Director has designated that area as one in which a sufficient supply of fuel for the operation of coal or wood burning equipment is not available.

(The emergency oil shortage area includes the entire continental United States. However, the Director of the Fuel Rationing Division may, by the issuance of an order, exclude from the emergency oil shortage area any area in the states outside the area described in Revised Ration Order 11^a as the "limitation area", or any area in the states of Georgia, Florida, Oregon, Washington and Idaho.)

[Subparagraph (iii) amended by Am. 14, 9 F.R. 11000, effective 9-9-44 and Am. 16, 9 F.R. 12536, effective 10-16-44]

(3) A gas heating stove if the War Production Board does not prohibit the delivery of gas or of a gas stove or of the equipment necessary for its operation.

^a 9 F.R. 2357, 3353, 4350, 4391, 4874, 5165, 5219, 5253, 5502, 5926, 6030, 5804, 6360, 7169, 7201, 7708, 7773, 8988, 9405, 9835, 9620, 9901, 10049, 9901, 10644, 11178.

NOTE: A fireplace, with or without a grate or andirons, is not equipment for the purposes of section 2.3.

[Sec. 2.3 amended by Am. 3, 8 F.R. 15245, effective 11-8-43; and Am. 4, 9 F.R. 92, effective 1-6-44]

SEC. 2.4 Cooking stoves; eligibility requirements. (a) Any consumer who needs a stove for cooking in living or working premises or in premises in which there is carried on an activity which contributes to the war effort or to the public welfare (or who needs a cooking stove for installation in premises which are being offered for rent as living space) is eligible for a certificate for any type of cooking stove, (other than coal or wood cooking stoves) if he comes within at least one of the following classes:

[Paragraph (a) amended by Am. 11, 9 F.R. 9356, effective 8-5-44 and Am. 16, 9 F.R. 12536, effective 10-16-44]

(1) He has no equipment for that purpose; or

(2) He has for that purpose only equipment which is worn out or damaged and cannot be repaired within a reasonable time or at a reasonable cost; or

(3) He has for that purpose only equipment for which there is no adequate flue, chimney or other means of venting, and one cannot be provided within a reasonable time or at a reasonable cost; or

(4) He has for that purpose only electric equipment and electricity for its operation is not available; or he has for that purpose only gas equipment and gas for its operation is not available; or

(5) He has only gas equipment which cannot be used because the War Production Board prohibits the use of the parts or materials needed to install such equipment or because such parts or materials are not available; or

(6) He has for that purpose only gas equipment using liquefied or bottled gas and the necessary materials are not available; or

(7) He has for that purpose only equipment the use of which is prohibited by state or local law; or

(8) The District Director has designated the area as one in which a sufficient supply of the fuel needed for the operation of the equipment he has for that purpose is not available and the equipment cannot be used because the fuel is unavailable; or

(9) He has for that purpose only equipment which cannot be used because no member of the occupant's household is physically able to operate the equipment when required and the services of any other person for that purpose cannot be obtained except at unreasonable expense.

NOTE: A fireplace, with or without a grate or andirons, is not equipment for the purposes of section 2.4.

[Sec. 2.4 amended by Am. 4, 9 F.R. 92, effective 1-6-44, and as otherwise noted]

SEC. 2.5 Combination heating and cooking stoves; eligibility requirements.

(a) Any consumer who wishes to have a combination stove, burning oil or gas in the heating part, must show that he is eligible for both a cooking stove and a

heating stove burning the kind of fuel used in the heating part of the stove.

[Paragraph (a) amended by Am. 17, effective 11-4-44]

(b) Any consumer who wishes to have a combination stove burning coal or wood in the heating portion must show that he is eligible for a cooking stove.

[Paragraph (b) added by Am. 17, effective 11-4-44]

SEC. 2.6 Application for a certificate—(a) How application is made. A consumer may apply for a certificate on OPA Form R-900. The application must be made by the consumer himself or by someone acting for him, and may be made in person or by mail. Separate applications must be made for each type of stove for which a certificate is sought.

(b) *Where application is made.* Application for a certificate shall be made to the "board" serving the area where the stove is to be used. However, if the stove is to be used in a vehicle or boat, the application shall be made to the board serving the area where the vehicle or boat is customarily garaged, stationed or kept, or if the applicant shows good cause for not applying to that board, to the board serving the area where the vehicle or boat is located at the time of application.

[Sec. 2.6 amended by Am. 7, 9 F.R. 3234, effective 3-28-44]

SEC. 2.7 How boards issue certificates.

(a) The board may issue a certificate to the applicant on OPA Form R-901 for the number of stoves to which he is entitled, if it finds

(1) That the applicant is eligible for the certificate applied for;

(2) That he has not without good cause in the sixty day period before the date of his application sold or otherwise transferred heating or cooking equipment, other than a fireplace grate or andirons which is adequate for the purpose for which the application is made;

[Subparagraph (2) amended by Am. 4, 9 F.R. 92, effective 1-6-44]

(3) That the stove is required for use in the area served by the board; and,

(4) That the quota for that board will not be exceeded by the issuance of the certificate.

(b) The board must issue a separate certificate for each type of stove, and must indicate on the face of each certificate at the time it is issued, in addition to other information required by the form, the type of stove which may be acquired. This shall be done by placing a mark (with ink, indelible pencil or typewriter) in the space immediately to the right of the box preceding the description of the type of stove and by punching a hole through that box. However, no board may issue a certificate for a gas heating or cooking stove if gas service will not be available for its operation unless the certificate is for a combination stove burning coal, wood or oil in the heating part of the stove. Nor may a board issue a certificate for a stove if it will be used to acquire a stove for a project in which the in-

stallation of a stove of that type is specifically authorized by the War Production Board by the issuance of an order in the series designated P-19, P-55 or P-110 unless the National Housing Agency has relieved the person to whom the order was issued from the responsibility for installing a stove of that type in that project.

[Above paragraph amended by Am. 4, 9 F.R. 92, effective 1-6-44; designated (b) and amended by Am. 13, 9 F.R. 10499, effective 9-1-44; and amended by Am. 17, effective 11-4-44]

SEC. 2.8 Any consumer may acquire stoves for agricultural, experimental or technological purposes. (a) Any consumer who needs a stove for agricultural, experimental or scientific purposes or for use in connection with a technological process and who has no equipment for the purpose may apply for a certificate on OPA Form R-900. The application may be made by mail or in person and must be made in writing to the board serving the area where the stove is to be used, showing:

- (1) The name and address of the applicant;
- (2) The type of stove needed; and,
- (3) The reason it is needed.

(b) If the Board finds that the stove for which the application is made is needed for agricultural, experimental or scientific purposes or for use in connection with a technological process, and the applicant comes within one of the classes in section 2.3 (a) (for a heating stove) or within one of the classes in section 2.4 (a) (for a cooking stove), the Board may issue a certificate on OPA Form R-901 to the applicant for the type of stove applied for, if the quota for that type will not be exceeded by the issuance of the certificate. However, a person applying for an oil heating stove may get a certificate for that type of stove only if he meets one of the conditions set forth in section 2.3 (b) (2).

[Sec. 2.8 amended by Am. 17, effective 11-4-44]

SEC. 2.9 When a certificate may not be used to acquire stoves for installation in a project authorized by War Production Board. (a) No person may use a certificate to acquire a stove for a project in which the installation of a stove of that type is specifically authorized by the War Production Board by the issuance of an order in the series designated P-19, P-55 or P-110 unless the National Housing Agency has relieved the person to whom the order was issued from the responsibility for installing a stove of that type in that project.

[Sec. 2.9 added by Am. 4, 9 F.R. 92, effective 1-6-44]

ARTICLE III—DEALERS AND DISTRIBUTORS

SEC. 3.1 Explanation of the terms dealer establishment, distributor establishment, dealer, and distributor. (a) Any place other than a "manufacturing establishment", where a "person"

(other than those set forth in paragraph (c) of this section) regularly "acquires" and "transfers" "stoves covered by this order," is a "dealer establishment" if the sales or other transfers from there are made primarily to "consumers." Such a place is a "distributor establishment" if the sales or other transfers from there are made primarily to persons other than consumers or primarily to supply one's own establishments. However, if such a place is used by a person to keep stoves just to supply his own establishments, that place is a distributor establishment only if it supplies:

(1) At least two of his own distributor establishments, or

(2) At least three of his own dealer establishments. (Section 3.2 (c) states when a person may treat several establishments as though they were one establishment, but for the purpose of determining whether the place supplying them with stoves is an establishment they are considered separate establishments.)

Note: The term "manufacturing establishment" is explained in section 4.1.

[Paragraph (a) amended by Am. 3, 8 F.R. 15254, effective 11-8-43; Am. 5, 9 F.R. 348, effective 1-11-44; Am. 6, 9 F.R. 908, effective 1-28-44; subparagraph (2) amended by Am. 17, effective 11-4-44]

(b) Any person who has a dealer establishment is called a "dealer" and any person who has a distributor establishment is called a "distributor."

(c) The following persons shall be deemed not to have dealer or distributor establishments:

(1) An agency of the United States.

[Subparagraph (1) amended by Am. 7, 9 F.R. 3234, effective 3-28-44]

[Paragraph (c) added by Am. 6, 9 F.R. 908, effective 1-28-44; amended as otherwise noted]

SEC. 3.2 Dealers and distributors must register—(a) General. Every dealer and every distributor must register with the "board" serving the area where the establishment is located by filing three (3) copies of OPA Form R-902 at any time between September 1, 1943 and September 3, 1943, inclusive. Each copy must be completed and signed by the person registering or his authorized agent.

(b) **Dealers and distributors must give information called for.** The dealer or distributor must give all information called for by OPA Form R-902.

(c) **How to register two or more establishments.** Each establishment must be registered separately. However, a person who has two or more establishments transferring stoves only against orders accepted at a common office, may treat them all just as if they were one establishment located at that office. If they have been registered separately, he may consolidate them by following the procedure set forth in paragraph (f).

[Paragraph (c) amended by Am. 17, effective 11-4-44]

(d) **Filing by mail.** Where a registration form is filed by mail, it is considered filed on time if the envelope in which it

is enclosed is postmarked on or before September 3, 1943.

(e) **Dealers and distributors who do not register on time.** A dealer or distributor who has failed to register within the time fixed by this section may file his registration form with his board but must submit with it a written statement giving the reasons why he did not register on time and the following information:

(1) The number of stoves, by type, on hand;

(2) The number of certificates, by type, on hand.

(3) A schedule of all stoves, by type, transferred on or after August 24, 1943, with the date of each transfer, the make, model, and the price obtained for each stove, and the name and address of each transferee;

(4) A schedule of all stoves, by type, acquired on or after September 1, 1943, with the date of each acquisition, the make and model of each stove acquired, and the name and address of each transferor;

(5) The number of certificates, by type, given up by him to anyone after September 1, 1943.

The board shall send the application and the written explanation to the District Director and may attach its recommendation. If the District Director is satisfied that the failure to register on time was for good cause, it may approve the registration, with such conditions as it finds proper.

(f) **Correction of registration.** A dealer or distributor who finds that his registration statement on OPA Form R-902 filed with the board is inaccurate in any respect, may file with his board three (3) copies of a corrected registration on OPA Form R-902. The corrected registration must be accompanied by a written signed statement bearing the date of filing and containing the facts which he claims support the corrected registration. The board will send to the District Director the corrected registration and the accompanying statement together with its recommendation. If the District Director is satisfied that the corrections to the registration are proper, he will approve the application and direct the board to issue any inventory certificates due by reason of the corrected registration. However, no inventory certificates shall be issued to a dealer or distributor registered before September 1, 1944, unless the corrected registration and statement is filed on or before November 30, 1944, or to a dealer or distributor who registers on or after September 1, 1944, unless his corrected registration and statement are filed within ninety (90) days after registration.

[Paragraph (e) amended and (f) added by Am. 13, 9 F.R. 10499, effective 9-1-44]

SEC. 3.3 A dealer or distributor may not acquire stoves if he does not register. (a) No dealer or distributor may "acquire" any stove after September 3, 1943, unless he has registered in the manner required by this order.

SEC. 3.4 Office of Price Administration to return original registration. (a) After a dealer or distributor has registered, his

original registration form as approved by the board will be mailed to him.

SEC. 3.5 Dealers and distributors must report their inventories. (a) As a part of his registration on OPA Form R-902, a dealer or distributor must report, by number and "types", the actual and certificate inventory of stoves covered by this order at the close of business on August 31, 1943 (or at the time of registration, if application for registration is made after September 3, 1943). The total of those two figures for each type of stove is called his "registered inventory" for that type of stove.

(1) In computing registered inventory, cooking stoves using coal and gas, or oil and gas, are treated as gas cooking stoves. Combination heating and cooking stoves are treated as gas cooking stoves. Conversion burners may not be included in registered inventory.

[Subparagraph (1) amended by Am. 8, 9 F.R. 3946, effective 4-15-44]

(b) A dealer's or distributor's actual inventory consists of all stoves, by type, covered by this order (including stoves on consignment) that are physically located at his establishment or which he holds at another place for his establishment, or in transit to either of these places. However, the following items are not part of his inventory:

(1) Stoves at his establishment kept for a person other than a customer or transferee, or obtained on the basis of a priority order of an agency of the United States and held for delivery to the person covered by that order, or held there as security for a loan to someone else (or a similar transaction), or in transit to it for any of those purposes; or

(2) Stoves included in the inventory of one of his other establishments. If he has stoves at or in transit to any place other than an establishment as defined in this order, he must include them in the inventory of one or more of his establishments (but may divide them among such establishments as he chooses), and must report the place where they are kept.

(c) A dealer's or distributor's certificate inventory consists of the number of stoves of each type which he has transferred and which are represented by "certificates" received by him before September 1, 1943. He must also include in his certificate inventory stoves which he transferred before September 1, 1943, to a person covered by a priority order of an agency of the United States and which he is entitled to replenish under that order.

SEC. 3.6 Dealers and distributors must report their sales. (a) A dealer or distributor, also as a part of his registration on OPA Form R-902, must report the number of stoves of each type sold by the business in either 1941 or 1942, whichever is larger.

(1) In computing his report of sales, cooking stoves using coal and gas, or oil and gas, are treated as gas cooking stoves. Combination cooking and heating stoves are treated as gas cooking stoves.

[Subparagraph (1) amended by Am. 8, 9 F.R. 3946, effective 4-15-44]

(2) However, he may not include in the report any sales of conversion burners, or exchanges of stoves, or transfers from one to another of his establishments.

SEC. 3.7 A dealer or distributor establishment is given an allowable inventory—(a) General—(1) *Business started before January 1, 1943.* Every dealer or distributor is entitled to an operating inventory, called an "allowable inventory", for each establishment if stocks of stoves were kept at the establishment (or its predecessor) during either 1941 or 1942. The allowable inventory will cover each type of stove transferred in either year except that combination stoves will be included in the allowable inventory for gas cooking stoves.

(2) *Business started after January 1, 1943.* If a business was started on or after January 1, 1943 (but before July 1, 1943), and stocks of stoves were kept, the establishment is entitled to an allowable inventory covering each type of stove which was transferred except that combination stoves will be included in the allowable inventory for gas cooking stoves.

(3) *Business started after July 1, 1943.* If a business was started on or after July 1, 1943, the allowable inventory, if any, is determined under section 9.3.

(4) *Application under section 3.8 where particular type inventory not allowed.* If a dealer or distributor is not entitled to any allowable inventory for a particular type or types of stove, he may apply for relief under section 3.8.

[Paragraph (a) amended by Am. 8, 9 F.R. 3946, effective 4-15-44]

(b) *Amount of allowable inventory.* The board shall fix as the allowable inventory of an establishment which was in business during 1941 and 1942, or all of 1942, the allowable inventory figure shown in Table I in the supplement to this order, by applying the amount of sales of stoves, by type, shown on the registration form, to that table. The allowable inventory of an establishment opened during 1942 or the first six months of 1943 will be determined by the district office; in such case the board may, when it sends a copy of the applicant's registration form to the district office, attach its recommendation for the amount of the allowable inventory that should be authorized. The allowable inventory of an establishment opened after June 30, 1943, is covered by section 9.3.

(1) Exchanges of stoves and transfers from one establishment to another establishment of the same person must not be included in the computation.

(c) *If allowable inventory exceeds registered inventory, board issues certificates for difference.* If a dealer's or distributor's registered inventory of any type of stove is less than his allowable inventory for that type, he is entitled to receive a certificate on OPA Form R-901 for the number of stoves of that type needed to make up the difference between his registered inventory and his allowable inventory for that type of stove. The certificate will be issued by the board with which he is registered.

(d) *If registered inventory exceeds allowable inventory, difference is owed by dealer or distributor.* If a dealer's or distributor's registered inventory of any type of stove is greater than his allowable inventory for that type, the difference is excess inventory. Except for good cause, he must give up to the board certificates equal to his excess inventory and may not, until he has done so, use any certificate to acquire that type of stove. However, upon certification by the War Production Board, the board shall increase the allowable inventory of a distributor who sells to persons covered by priority orders of an agency of the United States, in the amount specified by the War Production Board in its certification.

[Paragraph (d) amended by Am. 8, 8 F.R. 15254, effective 11-8-43]

(e) *What a dealer or distributor must do if his allowable inventory is changed.* Whenever the Office of Price Administration in the supplement to this order decreases a dealer's or distributor's allowable inventory for any type of stove, the dealer or distributor must bring or mail his registration form for correction to the board with which he is registered. The amount of the decrease in his inventory is then treated as excess inventory and he must give up certificates to the board as required by paragraph (d) of this section. If his allowable inventory is increased, he may bring his registration form to his board for correction and receive inventory certificates for the difference, as explained in paragraph (c) of this section.

SEC. 3.8 Applications may be made for adjustments. (a) Any dealer or distributor who needs an adjustment in his allowable inventory or any other relief, may apply to the board with which he is registered. The application must be in writing and he must state all facts which he claims show his need for the adjustment, and the nature and amount of the adjustment he requests. He must also give any other information that the board requests.

(b) Unless authorized by the "Washington Office," a board may not act upon an application under this section, but must send the application together with all the information received, to the District Office. It may attach its recommendation for the action that should be taken. The district office shall send the file to the "Washington Office" for decision, or take such other action as the Washington Office may authorize or direct.

[Paragraph (b) amended by Am. 8, 8 F.R. 15254, effective 11-8-43]

SEC. 3.9 Dealers and distributors may get certificates to replace destroyed, lost or stolen stoves. (a) Any dealer or distributor who had stoves covered by this order which, after August 31, 1943, were destroyed, lost, stolen or taken by operation of law, may apply for certificates to replace them. The application must be made to the board with which his establishment is registered. The application must be in writing and must show:

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- (1) The applicant's name and address;
- (2) A list of the stoves, by type, which he wishes to replace; and,
- (3) The manner in which the loss was caused.

He must also give any other information the board may request.

(b) If the board is satisfied that the stoves were destroyed, lost, stolen, or taken by operation of law after August 31, 1943, it shall issue a certificate to him for the number of stoves of each type to be replaced in his establishment. However, a board may not issue any certificate for replacement of stoves if the dealer or distributor does not continue the establishment.

(c) If the applicant gets back any of the stoves covered by the application, he must give back to the board for cancellation either the certificates he received from the board or certificates received from consumers, for the number and type of stoves he recovered.

SEC. 3.10 Distributors and dealers must keep records—(a) *The kind of records to be kept.* Every dealer and distributor must keep the following records:

(1) A copy of his registration on OPA Form R-902 and of any work sheets used by him in taking inventory for registration.

(2) A record of all orders for stoves, whether written or oral, placed by him with any person (whether or not he is required to surrender certificates for them). That record must show the number of stoves, by type, ordered, the date of the order, the serial numbers of the certificates, if any, given up with the order, and the name and address of the person with whom the order was placed. If stoves ordered are received, the record must also indicate the number of the stoves, by type, and the date they were received.

(3) A record of all stoves acquired by him, other than through orders placed by him (whether or not he is required to surrender certificates for them). That record must show the number of stoves, by type, acquired, the date acquired, the serial numbers of certificates, if any, given up, and the name and address of the person from whom the stoves were acquired.

(4) All invoices for stoves received by him; if the invoices give all the information required by the preceding subparagraph (2) or (3), no additional record of the same information is required.

(5) A record of all orders for stoves placed with him (whether or not he is required to get certificates for those stoves). That record must show the name and address of the person who placed the order, the number of stoves, by type, ordered, and the number of stoves, by type, transferred on that order, the date of the transfer and the serial numbers of the certificates, if any, given him with the order. He must make and keep a duplicate of the sales slip for each transfer made by him. If the sales slip gives all the information required by this subparagraph, no additional record of the same information is required.

(6) A record of all transfers of stoves made by him, other than through orders placed with him (whether or not he is required to get certificates for these stoves). That record must show the number of stoves, by type, transferred, the date transferred, the serial numbers of certificates, if any, given him, and the name and address of the person to whom they were transferred. He must make and keep a duplicate of the sales slip for each transfer made by him. If the sales slip gives all the information required by this subparagraph, no additional record of the same information is required.

[Sec. 3.10 amended by Am. 13, 9 F.R. 10499, effective 9-1-44]

SEC. 3.11 Dealers and distributors must report inventories—(a) *Stoves removed from rationing.* Within 10 days after any stove ceases to be a rationed stove, every dealer and distributor shall report to the board with which he is registered, on OPA Form R-908, the number of such stoves in stock or in transit to him as of the close of business on the last day such stoves are rationed. Upon receipt of OPA Form R-908, giving all of the information required by the form, the board may at the request of the dealer or distributor issue certificates for the same type not in excess of the number of stoves reported.

SEC. 3.12 Boards to issue certificates to dealers or distributors only for excess over debt to it. (a) Unless specifically provided to the contrary, whenever a certificate is to be issued to a dealer or distributor because of inventory increases or because stoves were damaged and sold or transferred certificate-free, or for any other reason, and the dealer or distributor currently owes the board any certificates for the same type of stoves because of excess inventory or for any other reason, the board may issue only the number of certificates in excess of those currently due and shall reduce the debt accordingly. If the number due the dealer or distributor is the same as or less than the number currently owing by him, the board shall reduce the debt by that number and issue no certificates.

[Secs. 3.11 and 3.12 added by Am. 12, 9 F.R. 9721, effective 8-15-44]

ARTICLE IV—MANUFACTURERS

SEC. 4.1 Explanation of the term manufacturing establishment and manufacturer. (a) Any place where a "person" makes or assembles any "stoves covered by this order" for sale or "transfer" is, as to those stoves, a manufacturing establishment. Any other place where a person gets stoves from his manufacturing establishment for sale or transfer primarily to persons other than consumers is, as to those stoves, a part of that manufacturing establishment.

(b) Any person who has a manufacturing establishment is called a manufacturer.

[Sec. 4.1 amended by Am. 5, 9 F.R. 348, effective 1-11-44]

SEC. 4.2 Manufacturers must file reports—(a) *General.* Every manufacturer must file a separate monthly report for each of his manufacturing establish-

ments, on a form to be designated jointly by the Office of Price Administration and the War Production Board. The form must be filled out and submitted in the manner designated on it.

SEC. 4.3 Manufacturer must send in certificates with his monthly report. (a) A manufacturer is required to send with his monthly report certificates equal in number and types to those he received for stoves he transferred for certificates during the month covered by the report. However, he may use certificates received in any month to get back stoves that he transferred if they are returned to him, or to acquire stoves from another person who holds them for transfer. (The way in which he may get back or acquire stoves from a consumer is explained in section 6.9 (b).)

A manufacturer should not give up at the time he files his report, certificates he received for which he made no transfers.

[Paragraph (a) amended by Am. 9, 9 F.R. 6952, effective 6-26-44]

SEC. 4.4 Manufacturers must keep records. (a) Every manufacturer must keep a record, by types, of stoves, showing production, acquisition and sales. That record must show all orders received, indicating which were accompanied by certificates and the dates of receipt. He must also keep a record of acquisitions and transfers for which he was not required to surrender or obtain certificates. His record must also show the number of stoves delivered on all orders and the dates of delivery.

[Paragraph (a) amended by Am. 16, 9 F.R. 12536, effective 10-16-44]

ARTICLE V—ISSUANCE AND USE OF CERTIFICATES

SEC. 5.1 How certificates are issued—(a) *By whom issued.* "Certificates" are issued on OPA Form R-901 by the "Washington Office", a "district office", a "board", or any other "person" authorized by the Office of Price Administration to issue them. Certificates may be issued only to the persons and for the purposes permitted by this order.

(b) *Number and type of stoves must be designated on certificate.* The certificate must show on its face the number of "stoves" and "type" which may be "acquired" with it, the name of the person for whom it is issued, and must be signed by the appropriate official of the Office of Price Administration. In addition, if the certificate is issued to a "consumer", it must show the place where the stove is to be used and, if for a gas heating stove, the heating capacity of the stove.

[Paragraph (b) amended by Am. 8, 9 F.R. 3946, effective 4-15-44]

(c) A certificate which is not filled out in the way required by this section is not good for the acquisition of any stove covered by this order and may not be used or accepted for that purpose.

SEC. 5.2 Certificates are the property of the Office of Price Administration and may be revoked. (a) All certificates are the property of the Office of Price Ad-

ministration, whether or not they have been issued.

(b) The Office of Price Administration may suspend, cancel, or revoke any certificate issued if it finds it in the public interest to do so.

(c) Any certificate issued to a person not entitled to it on the basis of the facts stated in the application may be revoked by the issuing board, District or Washington Office, and the issuing board, District or Washington Office may order that such certificate be surrendered to it.

[Paragraph (c) added by Am. 3, 8 F.R. 15254, effective 11-8-43]

SEC. 5.3 Certificates must be endorsed—(a) A consumer must endorse his certificate. A certificate issued to a consumer must be endorsed by him (or by a person authorized to sign for him) in the name in which it is issued before it is delivered by him to any person for any purpose. However, if a consumer mails an order for a stove with his certificate which he has not endorsed, the person so receiving the certificate may endorse the name of the consumer on it, but only if he has shipped the stove ordered with the certificate to that consumer.

(b) A dealer, distributor or manufacturer must endorse a certificate issued or delivered to him. A certificate issued to or received by a dealer, distributor or manufacturer must be endorsed by him (or by a person authorized to sign for him) before it is delivered by him to any person for any purpose. However, if a dealer or distributor mails an order with a certificate without his endorsement, the person so receiving the certificate may endorse the name of the dealer or distributor on it, but only if he has shipped the stove ordered with the certificate to that dealer or distributor.

[Sec. 5.3 amended by Am. 13, 9 F.R. 10499, effective 9-1-44]

SEC. 5.4 Combining and splitting up certificates. (a) A board may issue one certificate for two or more certificates, or it may issue two or more certificates for a certificate. The certificates issued must be for the same number and type of stoves designated on the certificates surrendered to the board for exchange. The board shall issue the new certificate in the manner required by section 5.1, and it shall retain in its files the certificates surrendered.

SEC. 5.5 How to replace lost, stolen, destroyed, damaged or mutilated certificates. (a) Any person who has lost a certificate, or whose certificate was stolen or destroyed, or who has a certificate that is damaged or mutilated so that it is unfit for use, may apply to the board serving the area where his establishment is located (or, if he has no establishment, where he lives) for its replacement. The application must be in writing and must state:

(1) The applicant's name and address;

(2) A description (to the extent possible) of each certificate sought to be replaced, showing the date of its issuance, the person by whom it was issued, the number and type of stoves designated on its face, and the name of

the person to whom it was issued and the place where the stove was to be used;

(3) How the certificate was lost, stolen, destroyed, damaged, or mutilated; and,

(4) The efforts made to find or recover the certificate sought to be replaced, if it has been lost or stolen.

In case of an application for replacement of a damaged or mutilated certificate, the certificate sought to be replaced must be submitted at the time the application is made.

(b) The board, if it finds that the certificate for which replacement is sought, has been lost, stolen or destroyed, or that it is damaged or mutilated so that it is unfit for use, may, in its discretion, issue a certificate on OPA Form R-901 to the applicant for the same number and type of stoves.

(c) Whenever a lost, stolen or destroyed certificate which has been replaced under this section is found or recovered, it must be immediately submitted to a board, and it may not be used for any purpose.

SEC. 5.6 Names of persons who have been granted certificates may be posted. (a) A board may post at its office the name and address of any consumer to whom it has issued a certificate under this order.

ARTICLE VI—SALES AND TRANSFERS OF STOVES

SEC. 6.1 Only dealers; distributors and manufacturers may transfer stoves. (a) Except in certain special cases provided in this order, only "dealers", "distributors", and "manufacturers" may sell or otherwise "transfer" stoves covered by this order".*

SEC. 6.2 Stoves may be transferred only for certificates. (a) Stoves covered by this order may be transferred and "acquired" only if the transferee gives up to the seller or transferor "certificates" for the number and "type" of stoves transferred. (If the stove to be transferred to a "consumer" is a "combination stove," only a combination stove designed to use the fuel for heating specified on the certificate may be transferred to him.) However, if the stove is transferred to any "person" other than a consumer, the transferee may give up a combination stove certificate for a "gas cooking stove" or a gas cooking stove certificate for a combination stove. The certificates must be given up at the time stated in the next section. They must be endorsed on the back by the person to whom issued and by each person who later uses them to acquire stoves, or by someone authorized to sign for him.

[Paragraph (a) amended by Am. 8, 9 F.R. 3946, effective 4-15-44]

(1) In any case in which the War Production Board limits the installation of a gas heating stove to replace another gas heating stove, only a gas stove having a heating capacity equal to or less than

* For convenience, the dealer, distributor, or manufacturer who makes the transfer is sometimes called "the transferor", and the person who acquires the stove is sometimes referred to as "the transferee".

the heating capacity stated on the certificate may be transferred to a "consumer".

(2) No stove shall be transferred to a consumer for a certificate if the transferor knows or has cause to believe that the stove is to be used at a place other than that designated on the certificate. No consumer may acquire a stove for use at a place other than that designated on the certificate.

[Subparagraph (2) added by Am. 8, 9 F.R. 6952, effective 6-26-44]

(3) Conversion burners may be transferred to manufacturers, distributors or dealers certificate-free.

[Subparagraph (3) added by Am. 11, 9 F.R. 9356, effective 8-5-44]

SEC. 6.3 When certificates must be surrendered—(a) Consumer contracts: Trade contracts made on or after September 1, 1943. (1) Beginning August 24, 1943, no offer or order from a consumer for the purchase or acquisition of a stove may be accepted by any person unless and until the consumer gives up to the transferor a certificate for that type of stove. However, if the offer is made by a consumer to another consumer, the certificate need be given up only at the time the stove is transferred.

[Subparagraph (1) amended by Am. 7, 9 F.R. 3234, effective 3-28-44]

(2) Beginning September 1, 1943, a dealer, distributor or manufacturer must give up a certificate to the transferor of a stove at the time the offer is made or the order is placed for that stove, and the transferor may not accept the offer or order unless it is accompanied by a certificate; or unless the order comes within the conditions of subparagraph (4). However, in the following cases the certificate need be given up only at the time the stove is transferred:

(i) A purchase or acquisition of a stove from an agency of the United States (section 6.7).

(ii) A purchase or acquisition of a stove from a person who acquired it under a WPB priority (section 6.8).

(iii) A purchase or acquisition of a stove from a dealer, distributor or manufacturer in connection with the closing of his establishment (section 9.4).

[Subparagraph (2) amended by Am. 7, 9 F.R. 3234, effective 3-28-44 and Am. 15, 9 F.R. 11853, effective 9-27-44]

(3) The setting aside or ear-marking of a stove, directly or indirectly, or the taking of a down payment, is an acceptance of an offer or order within the meaning of this paragraph (a). An order, unaccompanied by a certificate, for a stove which is not to be transferred until its transfer without a certificate is permitted by this ration order, may not be accepted by setting aside or ear-marking such stove.

(4) An offer or order for a stove by a dealer, distributor or manufacturer, not accompanied by a certificate, may be placed and accepted if it specifies that the stove is not to be transferred until its transfer without a certificate is permitted by this ration order.

[Subparagraph (3) amended; (4) added by Am. 15, 9 F.R. 11853, effective 9-27-44]

[Paragraph (a) amended by Am. 4, 9 F.R. 92, effective 1-6-44; and as otherwise noted]
 [Note deleted by Am. 9, 9 F.R. 6952, effective 6-26-44]

(b) *Trade contracts made before September 1, 1943.* (1) Beginning September 16, 1943, no dealer, distributor or manufacturer may acquire a stove covered by this order, and no person may transfer a stove to him, under a contract, agreement or other arrangement entered into between them before September 1, 1943, unless a certificate was given up by the transferee to the transferor before October 1, 1943. Moreover, in all such cases, the certificate must be given up before the stove may be transferred.

[Subparagraph (1) amended by Am. 1, 8 F.R. 12749, effective 9-16-43]

(2) If a dealer acquires a stove before September 16, 1943, under a contract, agreement or other arrangement entered into before September 1, 1943, he need not give up, and the transferor need not obtain, the certificate for that stove until September 30, 1943. If a distributor or manufacturer acquires a stove before September 16, 1943, under a contract, agreement or other arrangement entered into before September 1, 1943, he need not give up and the transferor need not obtain, the certificate for that stove until October 7, 1943.

(c) *Transfers between establishments.* If a stove is transferred between establishments operated by the same person, the certificate must be surrendered at or before the time the transfer is made.

SEC. 6.4 Dealers, distributors and manufacturers must acknowledge orders; if unable to deliver must return certificates. (a) Beginning September 1, 1943, every offer made or order given by a dealer, distributor, or manufacturer to buy or otherwise acquire stoves covered by this order must be acknowledged in writing by the person to whom it is made within three days of the date it is received, if the offer or order is accompanied by a certificate. The acknowledgement must also state the date delivery is expected to be made.

(b) If the offer or order to acquire stoves is accompanied by a certificate and contains a requested delivery date which the transferor cannot meet, he must return the certificates, or, when requested, send them to any person designated by the person making the offer. If no delivery date is specified the transferor may hold the certificate for a reasonable time and, if the order is not filled, must then send the certificate back unless otherwise directed by the person making the offer.

[Paragraphs (a) and (b) amended by Am. 15, 9 F.R. 11853, effective 9-27-44]

SEC. 6.5 Dealers, distributors and manufacturers may not discriminate in sale of stoves. (a) No dealer, distributor, or manufacturer may discriminate in the transfer of stoves covered by this order among consumers, dealers, or distributors entitled to acquire stoves in exchange for certificates.

(b) However, a manufacturer or distributor (called the seller) may refuse to sell or transfer a stove to a person (called

the buyer) for delivery or shipment in an area, if all the following conditions are met:

(1) Under one or more sales arrangements entered into before December 19, 1942, between the seller and one or more dealers or distributors, the seller has agreed to sell or transfer that kind of stove to them (whether or not he may also sell to others under the arrangement) and has agreed not to sell that kind of stove to the buyer (or to a class of persons which includes the buyer) for delivery or shipment in the area;

(2) Between December 19, 1942, and September 1, 1943, the seller made no sales or other transfers of that kind of stove other than as allowed by his sales arrangement and after November 14, 1944, the seller has accepted no orders for the sale or transfer of that kind of stove other than as allowed by his sales arrangement (not including, in any case, a sale or transfer made on an order bearing a preference rating assigned by the War Production Board); and

(3) Within the limits of his established credit requirements, no restriction is imposed by the seller on the number of stoves of that kind he will sell or transfer, for delivery or shipment in the area, to the dealers or distributors with whom he has the sales arrangement, or to any other person to whom such sales or transfers are not prohibited by the sales arrangement, except the minimum number, if any, he uniformly requires on all orders.

[Paragraph (b) added by Am. 2, 8 F.R. 14049, effective 10-19-43; and amended by Am. 17, effective 11-4-44]

(c) [Revoked.]

[Paragraph (c) added by Am. 2, 8 F.R. 14049, effective 10-19-43; and revoked by Am. 17, effective 11-4-44]

SEC. 6.6 Transfers to or for exempt agency, export or project authorized by government agency are not restricted.

(a) Nothing in this article is intended to limit or restrict transfers to or for exempt agencies or to or for persons acquiring stoves for export or for installation in a project authorized by the War Production Board by the issuance of an order in the P-19, P-55 or P-110 series or for installation in house trailers they are currently manufacturing or assembling (that is, those persons or agencies specified in section 1.3 (c)), or the replenishment of stoves transferred to or for such persons by dealers or distributors.

[Paragraph (a) amended by Am. 4, 9 F.R. 92, effective 1-6-44]

SEC. 6.7 Agencies of the United States may transfer stoves to persons other than an agency in exchange for certificates.

(a) Any agency of the United States may sell or otherwise transfer stoves only if the transferee gives up to the agency certificates for the type of stoves transferred at the time the stove is transferred. The agency shall, within 30 days

after the sale or transfer, submit to the OPA District Office for the area in which the agency's local office making the sale or transfer is located, the certificates obtained for the stoves so sold or transferred, and if the transferee is a dealer or distributor, a report on its official letterhead showing the number, by ration type, of the stoves transferred, the date of the transfer, and the name and address of the transferee. (Transfers to another agency of the United States are included in section 7.11).

(b) *A dealer or distributor may borrow certificates from his board.* A dealer or distributor who has a contract with an agency of the United States to acquire stoves from it may apply to the board with which his establishment is registered for certificates for the purpose of acquiring those stoves. If the board is satisfied that the applicant has such a contract and that he does not owe certificates to a supplier for stoves of any type shipped on certificate credit (under section 6.3 (b)), or for excess inventory of stoves of the type contracted for, it will issue him the certificates for the number of stoves of the type requested, not to exceed, however, the number he has contracted to buy from the agency.

(c) *Payment of loan.* A dealer or distributor who receives certificates from the board under paragraph (b) must use them for the purpose for which they were obtained or return them to the board within 20 days of their issuance. If he gives up the certificates to the agency, he must surrender to the board the certificates he receives from the transfer of the stoves so acquired as the certificates are received. If he has not sold or otherwise transferred all those stoves within 6 months from the date he acquired them, he must thereafter surrender to the board certificates for the number and types of the remaining stoves as certificates are received by him from the sale out of stock of any stoves of those types; until he has done so, he may not use any certificate for the purpose of acquiring that type of stove for inventory.

[Sec. 6.7 added by Am. 6, 9 F.R. 908, effective 1-28-44; amended by Am. 7, 9 F.R. 3234, effective 3-28-44]

SEC. 6.8 Transfers of stoves acquired under WPB priority orders. A person specified in section 1.3 (c) (other than an exempt agency or other agency of the United States), who acquired a stove under a priority order of the War Production Board for a purpose specified in that section may, upon receiving the approval of the OPA District Director for the area in which he is located, transfer that stove to a consumer, dealer, distributor or manufacturer. The transfer may be made only if the transferee gives up to the transferor a certificate for the type of stove transferred at the time the stove is transferred. The transferor must surrender the certificate to the District Director by the date specified by the District Director.

[Sec. 6.8 added by Am. 7, 9 F.R. 3234, effective 3-28-44]

SEC. 6.9 A consumer may transfer a stove to another consumer or to a dealer,

distributor or manufacturer—(a) Transfers to another consumer. A consumer may transfer a stove to another consumer only if the transferee gives up to him a certificate for the type of stove transferred at the time the stove is transferred. (If the stove to be transferred is a combination stove, only a combination stove designed to use the fuel for heating specified on the certificate may be transferred.) The consumer who receives the certificate must promptly surrender it to his board.

(b) **Transfers to a dealer, distributor or manufacturer by a consumer.** A consumer may also transfer a stove to a dealer, distributor or manufacturer, who may accept such a transfer if he complies with the following:

(1) If the transferee has on hand the certificate surrendered by the consumer for that stove, he must give up that certificate to the consumer, even though he is indebted to his board for a certificate for that type of stove.

(2) If the transferee is a dealer or distributor and he does not have the consumer's certificate on hand, he must give the consumer a receipt setting forth the date of the transfer, the consumer's name and address, his own name and address, and the type of stove transferred. The dealer or distributor must retain a copy of this receipt at his establishment for a period of at least two (2) years from the date of the transfer. He must surrender to the board with which his establishment is registered a certificate for the type of stove transferred to him by the consumer; until he has done so he may not use any certificate for the purpose of acquiring that type of stove for inventory. He must note on his copy of the receipt given to the consumer, the date when he gave up the certificate to the board.

(3) If the transferee is a manufacturer and he does not have the consumer's certificate on hand, he must include such transfer, as a purchase or return, in his report on Form WPB-3249 for the month in which the transfer is made, and must submit with that report a certificate for that type of stove.

(c) **Application by consumer whose certificate is not returned.** A consumer who transfers a stove to a dealer, distributor or manufacturer and whose certificate is not returned to him by the transferee may, if he is still eligible, apply to his board for a certificate for a stove to replace the one transferred. No such application shall be granted unless the consumer presents with his application his copy of the receipt obtained from the dealer or distributor when he transferred the stove or an adequate explanation for his failure to do so. No receipt given under the provisions of this section may be used to acquire a stove.

SEC. 6.10 Cancellation of sale or order—(a) Return of consumer's certificate or surrender of receipt. If a consumer has given up a certificate to a dealer, distributor, or manufacturer with his order or contract for a stove, and the order or contract for the sale of the stove to the consumer is cancelled, before the consumer has acquired the stove, the person receiving the con-

sumer's order or contract must promptly return the certificate to the consumer. Such dealer or distributor must return the certificate even though he is indebted to his board for a certificate for that type of stove. If the seller is a dealer or distributor and he does not have on hand the consumer's certificate, he must give the consumer a receipt setting forth the date, the consumer's name and address, his own name and address, and the type of stove specified in the certificate. The dealer or distributor must retain a copy of this receipt at his establishment for a period of at least two (2) years from the date of the transfer. He must surrender to the board with which his establishment is registered a certificate for the type of stove specified in the certificate received from the consumer; until he has done so, he may not use any certificate for the purpose of acquiring that type of stove for inventory. He must note on his copy of the receipt given to the consumer, the date when he gave up the certificate to the board.

(b) **Application by consumer whose certificate is not returned.** A consumer whose order or contract for a stove has been cancelled, before he acquired the stove, and whose certificate is not returned to him may, if he is still eligible, apply to his board for a certificate to replace the one which was not returned to him. No such application shall be granted unless the consumer presents with his application his copy of the receipt obtained from the dealer or distributor when the order or contract was cancelled or an adequate explanation for his failure to do so. No receipt given under the provisions of this section may be used to acquire a stove.

[Secs. 6.9 and 6.10 added by Am. 9, 9 F.R. 6952, effective 6-26-44]

SEC. 6.11. Return of certificates when stoves are removed from rationing. (a) When a manufacturer, distributor, or dealer has received a certificate with an order for a stove which has not been transferred, delivered, or shipped on or before the day the stove ordered ceases to be a rationed stove, he shall return a certificate for the same type of stove to the person placing the order within 3 days after such stove ceases to be a rationed stove, or if by that time he has no certificate for that type of stove, as soon as he gets such a certificate. If a certificate other than the one issued to him is returned to a consumer, he shall promptly surrender it to his board and he may, if he is still eligible, apply for a certificate to replace it.

[Sec. 6.11 added by Am. 12, 9 F.R. 9721, effective 8-15-44]

ARTICLE VII—PERMITTED TRANSFERS WITHOUT CERTIFICATES

SEC. 7.1 Stoves in transit to dealers, distributors and manufacturers on August 31, 1943, or to consumers on August 23, 1943. (a) No "certificate" need be surrendered for a delivery of a "stove covered by this order" to, or an "acquisition" of a stove by, a "dealer", "distributor", or "manufacturer" if that stove was in transit to him on August 31, 1943. No certificate need be surrendered for a delivery of a stove to, or an acquisition

of a stove by, a "consumer" if that stove was in transit to him on August 23, 1943.

SEC. 7.2 Stoves may be moved to establishment in whose inventory they are included. (a) No certificate need be surrendered for a "transfer" of stoves to the establishment in the inventory of which they were included immediately before the transfer.

SEC. 7.3 Stoves may be stored and returned. (a) No certificate need be surrendered for a transfer of stoves for storage purposes only, or for the transfer of such stoves back to the "person" who stored them.

SEC. 7.4 Stolen or lost stoves may be returned. (a) No certificate need be surrendered for a return of stolen or lost stoves to the person from whom they were stolen or who lost them.

SEC. 7.5 Stoves may be exchanged for other stoves. (a) Any person may exchange a stove for another stove of the same "type" with any person, without surrendering a certificate. (This rule applies, of course, only to exchanges of "new" stoves; it applies even if there is a money payment to make up any difference in the money value of the stoves exchanged.) Although a consumer may exchange a gas heating stove for any other gas heating stove, he may not exchange it for one of greater heating capacity than that for which he is eligible in any case where the use of such stove (or the delivery of gas for it) is limited by the War Production Board.

SEC. 7.6 Security interests in stoves may be created and released. (a) No certificate need be surrendered for a transfer of stoves, or of any interest in them, for security purposes only. (For example, if stoves are pledged or mortgaged, the person with whom they are pledged or mortgaged need not give up certificates.)

(b) No certificate need be surrendered for a release of a security interest in those stoves, or for a return of those stoves to the person who originally transferred them for security purposes. (For example, a person who pledged stoves may get them back without giving up certificates.)

SEC. 7.7 Stoves may be transferred for liquidation, by operation of law, or in judicial proceedings—(a) General. No certificate need be surrendered by a person who acquires stoves for liquidation only. Also, no certificate need be surrendered for a transfer of such stoves by operation of law. (For example, stoves may be taken over by a creditor, receiver or trustee, under a court order without giving up certificates. If such stoves are assigned for the benefit of creditors, the person to whom they are assigned need not give up certificates to the person making the assignment. Also, a person need not give up certificates when he inherits stoves or acquires them by will.)

(b) **How transferee may dispose of stoves.** A person who acquires stoves in the way described in the last paragraph, must, within five (5) days after acquiring them, report to the "district office" serving the place where his principal business office is located (or to the dis-

trict office serving the area where he lives, if he has no business office):

(1) The quantity of each type of stove acquired;

(2) The name and address of the person from whom they were acquired; and,

(3) The way in which and the date when they were acquired.

He may not use any of the stoves which he acquires unless he surrenders to the district office certificates for the types of stoves to be used. He may, however, sell or transfer them in the same way that a dealer or distributor is permitted to sell or transfer stoves, in which case he must within thirty (30) days surrender to the district office the certificates obtained for the stoves sold or transferred. However, if a person acquires stoves in connection with the acquisition by operation of law of a going business which is to be continued, the provisions of section 9.5 shall apply instead of the provisions of this paragraph.

(c) *Consumer inheritance.* A consumer who acquires a stove covered by this order from another consumer by inheritance or will, may use it without surrendering a certificate.

SEC. 7.8 Damaged stoves may be transferred to certain persons without certificates and without application for approval—(a) General. Damaged stoves (and undamaged stoves included in the same lot as the damaged stoves if the lot of stoves is transferred as a unit) may be transferred to, and acquired by, the following persons without the surrender of certificates and without application for approval of the transfer:

(1) A person who has insured the stoves against loss or damage; or

(2) A common or contract carrier in connection with his liability or payment for damage to the stove; or

(3) A person engaged primarily in the business of adjusting losses or salvaging damaged articles who takes possession of such articles on the occurrence of casualties or in direct connection with the adjustment of losses resulting from casualties.

(b) *Reporting acquisition of damaged stoves.* A person who acquires stoves under paragraph (a) of this section must, within five (5) days after acquiring them, submit a signed report to the OPA District Office serving the area where his principal business office is located (or if he has no business office, the District Office serving the area where he lives), giving the following information:

(1) His name and address;

(2) The name and address of the person from whom the stoves were acquired;

(3) The total number of stoves, by type, acquired;

(4) The date when the stoves were acquired;

(5) The number of stoves damaged; and

(6) That the stoves were acquired without giving up certificates.

If he cannot give the quantity and type of stoves or the number of damaged stoves acquired on his first report, he must describe the approximate number of stoves, by type, and must give the

exact information as soon as he can. He must keep a copy of each report required by this paragraph.

(c) *Disposal of stoves acquired under paragraph (a)—(1) General.* A person who acquires a stove pursuant to paragraph (a) may sell or transfer the stove (whether or not repaired) in the same manner that a dealer or distributor may sell or transfer stoves. If the sale or transfer must be made in exchange for a certificate, he must surrender the certificate within thirty (30) days to the OPA District Office where he is required to file his report.

(2) *When damaged stoves may be transferred certificate-free to dealers, distributors or manufacturers without approval; transferees must report.* A person who acquires a stove pursuant to paragraph (a), may also sell or transfer the stove (whether or not repaired), without the surrender of a certificate and without application for approval of the transfer, to a dealer, distributor or manufacturer. If the person to whom the stove is transferred is a dealer or distributor, he must, within five (5) days, file with his board a report containing the same information required in paragraph (b). If he is a manufacturer, such information shall be included in his monthly report to the War Production Board. He must keep a copy of each report required by this subparagraph (2).

(3) *Transfers of damaged stoves by dealers or distributors who acquired them certificate-free.* When the dealer or distributor (to whom a stove has been sold or transferred under the preceding subparagraph) makes a sale or transfer of the stove (whether or not repaired), requiring the surrender of a certificate to him, he must promptly surrender the certificate to his board. Until he has done so, he may not use any certificate to acquire that type of stove for inventory.

SEC. 7.9 Damaged stoves may be transferred without certificates upon approval of the board or District Office—(a) Making application.

A person who has a damaged stove may apply for permission to transfer the stove without obtaining a certificate for it. If he is a consumer, dealer or distributor, he must apply to his board; otherwise, he must apply to the OPA District Office serving the area where his principal business office is located (or if he has no business office to the District Office serving the area where he lives). (Other sections of this Article VII explain when stoves, whether or not damaged, may be transferred certificate-free.) The application must be signed and must state:

(1) The applicant's name and address;

(2) The number and type of stoves damaged;

(3) The cause and nature of the damage;

(4) How and when the stoves were acquired; and

(5) What efforts he has made to repair and sell or otherwise transfer the stoves for certificates and the reasons why he is unable to do so.

(b) *When permission may be granted.* If the board or District Office finds that

reasonable efforts have been made by the applicant to repair and sell or otherwise transfer the damaged stove in exchange for a certificate and that the stove cannot be sold or transferred for a certificate, it may grant permission, in writing, to the applicant to sell or transfer that stove without obtaining a certificate.

SEC. 7.9a Dealers and distributors may get certificates to replace damaged stoves transferred or to be transferred without certificates—(a) Making application. A dealer or distributor who sells or transfers a damaged stove without obtaining a certificate pursuant to section 7.8 (a), or who has obtained permission to so sell or transfer the stove under section 7.9, may apply to his board for a certificate for that type of stove. The application must state:

(1) His name and address;

(2) The number and type of stoves transferred or to be transferred by him;

(3) The number and type of certificates, if any, given up by him for those stoves;

(4) How he acquired the stoves, if he did not give up certificates for them;

(5) The name and address of the person to whom the stoves were transferred, if transferred under section 7.8 (a); and

(6) That the stoves were transferred by the applicant without obtaining a certificate pursuant to section 7.8 (a) or 7.9, or will be so transferred pursuant to section 7.9.

(b) *When application may be granted.* If the board finds that the applicant has sold or transferred damaged stoves without obtaining certificates in accordance with section 7.8 (a) or section 7.9, or has obtained permission to so sell or transfer damaged stoves in accordance with section 7.9, and that the stoves were acquired by the applicant before September 1, 1943 or for certificates (or were transferred in exchange for stoves acquired in that manner), it will issue to the applicant certificates for those stoves. However, if an applicant has received permission to sell or transfer damaged stoves certificate-free and the board issues to him certificates for the stoves before he has sold or transferred them, he must, if he sells or transfers any such stove for a certificate, promptly surrender that certificate to his board.

[Secs. 7.8 and 7.9 amended and 7.7a added by Am. 10, 9 F.R. 9017, effective 6-29-44]

SEC. 7.10 Stoves may be transferred in connection with transfer of a business or of premises. (a) No certificates need be surrendered for a sale or transfer of stoves which are in the inventory of an establishment, as part of a sale or other transfer of the establishment itself for continued operation. A person who buys or acquires such stoves may not use them, but may hold them only for transfer. (The procedure which must be followed, when an establishment is transferred for continued operation, is covered in Article IX.)

(b) No certificate need be surrendered for the transfer of a stove in connection with a transfer of premises on which the stove is located.

SEC. 7.11 Acquisition of stoves for transfer by agencies of the United States—(a) No certificates required. No certificates need be surrendered in exchange for stoves acquired, for transfer, by an agency of the United States. However, if the transferor is a dealer or distributor the agency must, within 7 days after such acquisition, submit to the OPA District Office for the area in which the agency's local office is located a report on its official letterhead showing the number, by ration type, of the stoves acquired, the date of acquisition and the name and address of the transferor. (The submission of a report is not required if the transfer is made under a priority order).

(b) Accounting for stoves transferred. The report will be forwarded through the appropriate District Office to the board for the area in which the transferor's establishment is located. If the transferor is not closing his establishment pursuant to section 9.4, the board will issue certificates to the transferor for the number and type of stoves transferred to the agency, after deducting the certificates, if any, owed it by the transferor because of excess inventory of stoves of that type, or owed it for any other reason. If the transferor is closing his establishment, the report shall be used to account for the stoves transferred by him to the agency.

[Sec. 7.11 added by Am. 6, 9 F.R. 908, effective 1-28-44; amended by Am. 7, 9 F.R. 3234, effective 3-28-44]

SEC. 7.12 Certificate-free transfers of stoves by agencies of the United States to manufacturers who made them. Any agency of the United States may transfer certificate-free stoves to the manufacturer who made them (or to a manufacturer who is the successor of the person who made them) upon receipt of a statement in writing from the transferee that the stoves were made by him or that he is the successor of the manufacturer who made them. The manufacturer must report the stoves acquired under this section in his regular monthly report to the War Production Board. No manufacturer may acquire stoves under this section unless they were made by him or unless he is the successor of the manufacturer who made them.

[Sec. 7.12 added by Am. 13, 9 F.R. 10499, effective 9-1-44]

ARTICLE VIII—RECORDS, REPORTS AND INSPECTIONS

SEC. 8.1 Records must be kept for two years. (a) Every "person" must hold, for at least two years, all records which this order requires him to keep.

SEC. 8.2 Records may be inspected by Office of Price Administration. (a) All records kept under this order may be inspected by the Office of Price Administration, through any authorized representative. The inspection may be made at a person's place of business during regular business hours. In the case of records kept on forms prepared by the Office of Price Administration, the inspection of those records may be made at any time or place fixed by the Office of Price Administration. Every person required to keep

records under this order must keep them available for such inspection.

SEC. 8.3 Places where stoves are kept may be inspected. (a) The Office of Price Administration, through any authorized representative, may at any reasonable time inspect any place where a "dealer", "distributor", or "manufacturer" makes or keeps "stoves covered by this order".

SEC. 8.4 Records and reports are confidential. (a) Information and documents obtained from any person under this order will not be disclosed, whether in response to a subpoena or in any other way, except to that person, unless the Administrator (or a representative of the Office of Price Administration designated by him) finds that the requested disclosure is not contrary to law and consents to it.

SEC. 8.5 Office of Price Administration may require applicants to give information. (a) The "Washington Office", a "board", a "district office" or a regional administrator may require any person who files an application or an appeal under this order to appear in person, to bring witnesses and to supply any information needed for deciding his case.

ARTICLE IX—SALE OF BUSINESS AND OPENING OR CLOSING OF BUSINESS

SEC. 9.1 Transfer of a continuing business. (a) When any "person" sells or "transfers" to any other person his "dealer establishment" or "distributor establishment" for continued operation by the person who "acquires" it, the person transferring the business shall give to the person acquiring it his registration form and all "certificates" that he has at the time the business is sold. (The certificates must be signed by the person transferring the business.)

(b) Within five (5) days after the transfer, the person acquiring the business must file an application on OPA Form R-902 for registration as a "dealer" or "distributor". At the time of the filing, he must, if his "registered inventory" equals the "allowable inventory" for each type of stove of the business being acquired, endorse the registration form of the person transferring the business and surrender it to the board. However, if the registered inventory does not equal the allowable inventory for each type of stove, the person acquiring the business should not endorse the registration form, but should report the discrepancy to the board in writing. (Section 3.5 explains how registered inventory is figured.)

SEC. 9.2 Movement of an establishment from one place to another place by the same person. (a) A person who wishes to move his dealer or distributor establishment to another place must treat his moving as the closing of an establishment and the opening of a new establishment unless he applies for and is granted permission to continue his operations at the new place. The application must be made to the board with which his establishment is registered and must, in addition to showing the new address, state, in writing, whether:

(1) The business, including the inventory of stoves, will be moved to the new place;

(2) He will continue to serve, from the new place, the same general class of customers and the same area served by the establishment at its present place; and,

(3) The business will continue to be operated in substantially the same manner as it is operated at the present place.

(b) The application will be sent by the board to the "district office", together with any recommendation the board may wish to make. If the district office is satisfied that the conditions described in paragraph (a) will be met, it shall grant permission to the applicant to continue operations at the new place of business.

SEC. 9.3 New business. (a) A person who opens a dealer or distributor establishment on and after July 1, 1943, must file an application on OPA Form R-902 for registration as a dealer or distributor with the board serving the area where the establishment is or will be located, in the same way that dealers and distributors register under Article III. He must give all information called for by the form. In addition, the applicant must show, in writing:

[Paragraph (a) amended by Am. 13, 9 F.R. 10499, effective 9-1-44]

(1) The proposed name and address of the establishment; and,

(2) The type and size of business he expects to have.

(b) The board must send a copy of the application, together with the applicant's statement and any other information it has received, to the district office. It may attach its recommendation as to the action that should be taken upon the application and the amount, if any, of allowable inventory that should be authorized. The district office shall send the file to the "Washington Office" which will refer it to the War Production Board. If the War Production Board approves the application, the Washington Office (or the district office, if the Washington Office so directs) will determine the allowable inventory. The original registration form as approved by the board will then be mailed to the applicant.

(c) If the application is not approved, the applicant may dispose of the stoves he has on hand at the date of his application in the same manner that a registered dealer or distributor is permitted to transfer stoves. He must within thirty (30) days after the transfer of each stove surrender to the board to which he applied, the certificate obtained for the stove, and he may not use any certificates to acquire stoves.

[Paragraph (c) added by Am. 13, 9 F.R. 10499, effective 9-1-44]

SEC. 9.4 Closing of business. (a) Any dealer or distributor who closes an establishment must notify the board with which the establishment is registered. The notice must be in writing and must be given to the board within five (5) days after the business is closed. It must show:

(1) The name and address of the establishment; and,

(2) The number of stoves, by type, represented by certificates he had at that time.

(b) At the time the notice is given he must deliver to the board his registration form and account to it for the number of stoves of each type which his allowable inventory permits him to have. If he has any certificates he must turn them over to the board; if he has stoves of any type covered by this order which have not been disposed of at the time he files his notice, he must account for them by turning over to the board certificates which he obtains when they are transferred.

SEC. 9.5 Acquisition of a business by will or by operation of law. (a) Any person who acquires a dealer or distributor establishment by operation of law must within twenty (20) days of its acquisition register the establishment. Registration shall be made in the manner required by Article III, except that only the actual inventory shall be taken as of the date of registration (since certificates are not transferred by operation of law). Accordingly, the board shall issue certificates to him in the amount, if any, by which the allowable inventory of his predecessor for any type of stove exceeds the actual inventory for that type.

(b) A dealer or distributor (or his representative) whose establishment is transferred by operation of law, must turn over to the board with which the establishment is registered the registration form and certificates received for stoves which have been transferred. He must also account to the board for certificates which he has accepted for stoves not yet transferred.

ARTICLE X—MISCELLANEOUS RULES AND PROHIBITIONS

SEC. 10.1 Additional prohibitions. (a) No "person" may use a "certificate" unless he has received it in a way permitted by this order.

(b) No person may "transfer", "acquire", use or possess "stoves covered by this order", except in a way permitted by this order or by an applicable order of an agency of the United States.

(c) No person may give or otherwise transfer, or obtain or otherwise acquire, or use a certificate except in a way permitted by this order.

(d) No person may transfer any stove for a certificate, if he knows or has reason to believe that it is not valid or that the person tendering it is not entitled to use it.

(e) No person may have a certificate in his possession except the person (or agent of the person) who issues it, or to whom it was issued, or by whom it was acquired in a way permitted by this order.

(f) No person may counterfeit, forge, deface, or mutilate any certificate. A counterfeited, forged, defaced or mutilated certificate is not valid for transfer, and no person may acquire, possess or use such certificate.

(g) No person may alter or destroy any certificate, nor use any altered certificate, except where permitted by this or any other order of the Office of Price Administration.

(h) No person may transfer a stove in violation of any applicable order of an agency of the United States.

(i) No person may offer, solicit, attempt or agree to do, or assist in doing, any act in violation of this order.

(j) Paragraphs (b), (c), (e), (f), (g), and (h) of this section do not apply to public officials who do any of those acts in the performance of public duties, or to persons complying with orders or directions of such officials.

(k) No person may in any registration, report, application, or other statement or record made pursuant to or required by this order, make any untrue statement of fact, or omit to state any fact which is required to be stated or which is necessary to make a statement not misleading.

(l) No person may, after demand, withhold a certificate from a person who is entitled to have it.

SEC. 10.2 Certificates may not be taken by legal process or acquired by will. (a) No certificate, or any interest in it, may be taken or seized by judicial process or any court order. However, a person who is entitled to possession of a certificate may bring a legal proceeding to recover it from any person who is wrongfully in possession of it. He may, as part of that proceeding, take or seize it by judicial process or court order.

(b) No certificate, or interest in it, may be transferred or acquired by operation of law.

SEC. 10.3 Office of Price Administration must be notified of legal proceedings. (a) Any person who has a certificate must notify the "district office" of the Office of Price Administration immediately after the beginning of legal proceeding involving that certificate.

ARTICLE XI—SUSPENSION ORDERS

SEC. 11.1 Office of Price Administration may issue suspension orders. (a) Any "person" who violates this order may, by administrative suspension order, be prohibited from receiving, delivering, selling or using any "stoves covered by this order" or other rationed product or facility for such period as in the judgment of the Administrator, or such person as he may designate for such purpose, is necessary or appropriate in the public interest. Proceedings for suspension orders shall be begun and carried on as provided in Procedural Regulation No. 4.

ARTICLE XII—APPEALS

SEC. 12.1 Persons directly affected by action taken under this order may appeal. (a) Any "person" directly affected by the action of a "board", "district office", or regional administrator, on any application or other matter may appeal from that action in the way permitted by Procedural Regulation No. 9⁵ of the Office of Price Administration.

(b) This section does not apply to cases where the Board, or District or Regional Office is not authorized to act on applications made under sections 3.8 or 9.3.

[Paragraph (b) amended by Am. 3, 8 F.R. 15254, effective 11-8-43]

⁵ 7 F.R. 8796; 8 F.R. 856, 1838, 2030, 2595, 2941, 4350, 4929, 7381, 11480, 11806, 12482, 14211; 9 F.R. 1594, 4589, 10491.

ARTICLE XIII—DEFINITIONS

SEC. 13.1 Definitions. (a) When used in this Ration Order:

(1) "Acquire" means to accept a "transfer" or to get possession or title in any other way.

(2) "Allowable inventory" means the operating inventory of a "dealer" or "distributor", stated in the number of "stoves" by specific "types" assigned to him by the Office of Price Administration after he registers.

(3) "Board" means a war price and rationing board established by the Office of Price Administration.

(4) "Certificate" means a certificate on Form OPA R-901.

(5) "Consumer" has the meaning given that term by section 2.1.

[Subparagraph (5) amended by Am. 3, 8 F.R. 15254, effective 11-8-43; and Am. 4, 9 F.R. 92, effective 1-6-44]

(6) "Dealer" means any person who has a "dealer establishment".

(7) "Dealer establishment" has the meaning given that term by section 3.1 (a).

[Subparagraph (7) amended by Am. 3, 8 F.R. 15254, effective 11-8-43; and Am. 5, 9 F.R. 348, effective 1-11-44]

(8) "Distributor" means any person who has a "distributor establishment".

(9) "Distributor establishment" has the meaning given that term by section 3.1 (a).

[Subparagraph (9) amended by Am. 3, 8 F.R. 15254, effective 11-8-43; and Am. 5, 9 F.R. 348, effective 1-11-44]

(10) "District office" means a district office established by the Office of Price Administration.

(11) "Emergency oil shortage area" has the meaning given that term by section 2.3 (b).

[Subparagraph (11) amended by Am. 4, 9 F.R. 92, effective 1-6-44; and Am. 17, effective 11-4-44]

(12) "Manufacturer" means any person who has a "manufacturing establishment".

(13) "Manufacturing establishment" has the meaning given that term by section 4.1 (a).

[Subparagraph (13) amended by Am. 5, 9 F.R. 348, effective 1-11-44]

(14) "New", as applied to stoves, means any stove which has not been sold or transferred to a consumer or any stove which has been transferred to a consumer but which has been in use for not more than sixty (60) days.

(15) "Person" means any individual, partnership, corporation, association, business trust, or any government, agency of a government, or any other organized group or enterprise.

(16) "Registered inventory" means the total of the number of stoves of a type that a dealer or distributor has as inventory for his establishment at the close of business on August 31, 1943, (wherever the stoves are located, including stoves in transit to him for that establishment but excluding stoves held for delivery to a person under a priority order of an agency of the United States), and the number of stoves of the same type which were transferred from his

establishment and are represented by certificates on OPA Form R-901 or by a right of replenishment under a priority order of an agency of the United States, which he has at the close of business on that date. If registration is made after September 3, 1943, registered inventory shall be figured as of the date of registration.

(17) "Stove" or "stove covered by this order" means any "new" heating stove or equipment (other than a fireplace grate or andiron) designed for household use and for installation on or above the floor and for heating adjacent space without the use of connecting pipes or ducts, or any new cooking stove or equipment (other than a fireplace grate or andiron) designed for household cooking use, of the following "types":

[Subparagraph (17) amended by Am. 4, 9 F.R. 92, effective 1-6-44]

(i) A coal or wood heating stove designed to use coal or wood as a fuel;

(ii) An oil heating stove designed to use oil, naphtha, kerosene or gasoline as a fuel;

[Subparagraph (ii) amended by Am. 12, 9 F.R. 9721, effective 8-15-44]

(iii) A gas heating stove designed to use natural, manufactured or liquefied petroleum gas (including bottled gas) as a fuel;

(iv) A coal or wood cooking stove designed to use coal or wood as a fuel;

(v) An oil cooking stove designed to use oil, naphtha, kerosene or gasoline as a fuel;

[Subparagraph (v) amended by Am. 12, 9 F.R. 9721, effective 8-15-44]

(vi) A gas cooking stove designed to use natural, manufactured or liquefied petroleum gas (including bottled gas) as a fuel; and,

(vii) A combination stove which is a combination heating and cooking stove, designed as a two-part stove to use gas in the cooking burners and coal or wood, or oil or gas in the heating burners; and,

[Subparagraph (vii) added by Am. 8, 9 F.R. 3946, effective 4-15-44]

(viii) A conversion burner, which is a unit designed for the conversion of heating or cooking stoves from the use of a fuel other than oil to the use of oil as a fuel.

The term includes a radiant heater, a sheet metal heating stove with grates or with a cast iron base or cast iron lining, and a portable oil stove. It does not include electric, charcoal or alcohol stoves, gas hot plates, gas laundry stoves, coal-wood burning laundry stoves, furnaces, waterheaters, wick-lamp cooking stove, or a gasoline camp stove, or gas cooking stoves which have asbestos or other non-metallic outside panels.

[Former subparagraph (vii) redesignated (viii) and amended by Am. 8, 9 F.R. 3946, effective 4-15-44; and amended by Am. 12, 9 F.R. 9721, effective 8-15-44]

(18) "Transfer" means to sell, give, exchange, lease, lend, deliver, consign, supply or furnish. It includes any transfer of possession, or of title by operation of law or otherwise, however accomplished, any movement of a stove by a person from one to another of his

establishments or from an establishment to other premises for use, and the use by any person of any stove which he holds for sale or transfer except the use of such a stove by a dealer, distributor or manufacturer for exhibition or demonstration purposes as a part of the business of transferring stoves. Delivery to a carrier for shipment or by a carrier in the course of or in completion of shipment is not regarded as a transfer to or by the carrier. However, if a stove was delivered to a consumer before August 24, 1943, or to any other person before September 1, 1943, the transfer to such person of title to the stove after that date is not regarded as a transfer within the meaning of this order.

[Subparagraph (18) amended by Am. 4, 9 F.R. 92, effective 1-6-44]

(19) "Type", as applied to a stove, means any of the eight types of "stoves" defined in paragraph (17).

[Subparagraph (19) amended by Am. 8, 9 F.R. 3946, effective 4-15-44]

(20) "Washington Office" means the national headquarters of the Office of Price Administration in Washington, D.C.

(b) Where the context so requires, words in the singular shall include the plural, words in the plural shall include the singular and words in the masculine gender shall include the feminine and neuter.

ARTICLE XIV—SPECIAL PROVISIONS FOR COAL OR WOOD HEATING AND COAL OR WOOD COOKING STOVES

SEC. 14.1 Coal or wood heating or cooking stoves are certificate free. (a) Regardless of any other provision of this order:

(1) After October 15, 1944, coal or wood heating and coal or wood cooking stoves may be transferred by any person to any other person without the surrender of certificates.

(2) After October 15, 1944, no consumer may transfer a certificate for such a stove, and no person may accept such a certificate from a consumer.

(3) No such certificate may be issued to any consumer after October 15, 1944, or to any other person after October 31, 1944, except as provided in section 5.4.

(4) After October 31, 1944, no person may transfer or acquire such a certificate. (This subparagraph does not apply to the surrender of such certificates to the War Production Board under section 4.3 or to the Office of Price Administration under section 5.2 or the receipt by mail of such certificates in envelopes postmarked by 11:59 p.m. October 31, 1944, under section 14.3.)

(b) After October 15, 1944, the requirement stated in the sections under this Article XIV and in the following sections are the only ones that apply to coal or wood heating or coal or wood cooking stoves; section 3.10 (Distributors and dealers must keep records); section 4.2 (Manufacturers must file reports); section 4.3 (Manufacturer must send in certificates with his monthly report); section 4.4 (Manufacturers must keep records); section 5.2 (Certificates are the property of the Office of Price Administration and may be revoked), section 5.4

(Combining and splitting up certificates); section 5.5 (How to replace lost, stolen, destroyed, damaged or mutilated certificates); section 6.5 (Dealers, distributors and manufacturers may not discriminate in sale of stoves); section 8.1 (Records must be kept for two years); section 8.2 (Records may be inspected by Office of Price Administration); section 8.3 (Places where stoves are kept may be inspected); section 8.4 (Records and reports are confidential); section 8.5 (Office of Price Administration may require applicants to give information); section 10.1 (Additional prohibitions); section 10.3 (Office of Price Administration must be notified of legal proceedings); section 11.1 (Office of Price Administration may issue suspension orders); section 12.1 (Persons directly affected by action taken under this order may appeal.)

SEC. 14.2 Inventory record and certificates for coal or wood stoves. (a) Not later than October 20, 1944, every dealer and distributor must prepare a written inventory of all coal or wood heating and coal or wood cooking stoves that were as of the close of business October 15, 1944, physically located at his establishment or held by him at another place for his establishment.

(b) Every dealer and distributor shall also keep with the other records required by this order all certificates for coal or wood stoves, which he has on November 1, 1944 and which he receives after that date.

SEC. 14.3 Orders accompanied by certificates for coal or wood stoves, placed by dealers or distributors before November 1, 1944, are given preference over certificate-free orders. (a) A dealer or distributor may place orders for coal or wood heating or coal or wood cooking stoves accompanied by certificates (endorsed in the manner prescribed by section 5.3 (b) if the orders are delivered to his supplier by 11:59 p.m. October 31, 1944 (or are sent by mail and the envelope is postmarked by that time). Every person who receives such an order within that time limit must deliver the stoves so ordered (unless he is excused by section 6.5 (b) from making such delivery) before he delivers stoves of the same type and model against orders (whether received before or after that date) not accompanied by certificates from persons or agencies other than those specified in section 1.3 (c).

[Article XIV, Secs. 14.1, 14.2, and 14.3 added by Am. 16, 9 F.R. 12536, effective 10-16-44]

Effective date. This ration order shall become effective at 12:01 a.m. on August 24, 1943. [Ration Order 9A originally issued August 19, 1943]

[Effective dates of amendments are shown in notes following the parts affected]

Note: All reporting and record-keeping requirements of this regulation have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 31st day of October 1944.

CHESTER BOWLES,
Administrator.

F. R. Doc. 44-16746; Filed, Oct. 31, 1944;
4:50 p. m.

PART 1305—ADMINISTRATION

[Supp. Order 92,¹ Amdt. 7]

ADJUSTABLE PRICING OF CERTAIN COTTON TEXTILES

A statement of the reasons involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

Supplementary Order No. 92 is amended in the following respects:

1. Section 1305.120 (a) is amended to read as follows:

(a) This supplementary order applies to the cotton textiles described in paragraph (b).

2. Section 1305.120 (b) is amended to read as follows:

(b) In connection with any sale, first made on or after the applicable date set forth in Table I below, and any delivery pursuant thereto, of any of the goods listed in Table I and covered by Maximum Price Regulation No. 118,² the producer may agree with his customer to adjust the price to conform to any revised ceiling price which may be established by the Office of Price Administration prior to the revocation of the relevant provisions of this supplementary order.

TABLE I

Reference No.	Fabric description	Applicable date
1.....	Terry products, huck and crash towels, and corded napkins.	August 12, 1944.
2.....	Ducks (in the grey).	September 6, 1944 when sold to War Procurement Agencies; November 1, 1944 when sold to others.
3.....	Flannels.....	October 16, 1944.

This amendment shall become effective November 1, 1944.

Issued this 1st day of November 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-16788; Filed, Nov. 1, 1944;
11:55 a. m.]

PART 1316—COTTON TEXTILES

[MPR 11, Amdt. 20]

FINE COTTON GOODS

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

Maximum Price Regulation No. 11 (Fine Cotton Goods) is amended in the following respect:

In exception (i) to § 1316.3 (b) (1) the date November 1, 1944 is changed to January 1, 1945.

*Copies may be obtained from the Office of Price Administration.

¹ 9 F.R. 7502, 9896, 10578, 11076, 11530, 12537.

² Maximum Price Regulation No. 118 (Cotton Products), 8 F.R. 12186, 12934; 9 F.R. 401, 10088.

This amendment shall become effective October 31, 1944.

Issued this 31st day of October 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-16748; Filed, Oct. 31, 1944;
4:51 p. m.]

PART 1340—FUEL

[MPR 120,¹ Amdt. 123]

BITUMINOUS COAL DELIVERED FROM MINE OR PREPARATION PLANT

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Maximum Price Regulation No. 120 is amended in the following respects:

In the table of prices, size group numbers and price group numbers in § 1340-222 (b) (2), the maximum price of 370 cents per ton for coals of Price Group No. 1 in Size Group Nos. 1, 2 and 3, is hereby deleted, and a maximum price of 385 cents is inserted in its place.

This amendment shall become effective November 6, 1944.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 1st day of November 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-16785; Filed, Nov. 1, 1944;
11:55 a. m.]

PART 1347—PAPER, PAPER PRODUCTS, RAW MATERIALS FOR PAPER AND PAPER PRODUCTS, PRINTING AND PUBLISHING

[RPS 32,² Amdt. 18]

PAPERBOARD SOLD EAST OF THE ROCKY MOUNTAINS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Revised Price Schedule No. 32 is amended in the following respects:

1. In § 1347.62 Appendix B, paragraph (f) is amended to read as follows:

(f) Weatherproof filler stocks .022-.027, 94#-110# V-2S type stock—100# test	Price per M square feet \$3.53
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2. A note is added to paragraphs (a), (b), (c), (d), and (e) in § 1347.62 to read as follows:

All Kraft, jute, and chip prices are based on standard grades in their respective natural colors.

3. In § 1347.59 (f), subparagraph (26) is added to read as follows:

(26) Weatherproof V-2S Type Filler Stock is a paperboard of full bending

¹ 9 F.R. 5042, 5375, 5587.

² 9 F.R. 3331, 5482, 7261, 8061, 9616, 11054.

quality manufactured on a cylinder machine with the total furnish containing more than 30% wastepaper and hard-sized to meet specifications for filler stock used in the manufacture of V-2S Type shipping containers.

This amendment shall become effective November 6, 1944.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 1st day of November 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-16783; Filed, Nov. 1, 1944;
11:54 a. m.]

PART 1351—FOOD AND FOOD PRODUCTS

[FPR 2,¹ Amdt. 3 to Supp. 2²]

OATS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Section 5 (b) (13) of Supplement 2 to Food Products Regulation 2 is amended to read as follows:

(13) "Commission merchant" means, with respect to any lot of oats, a person who receives a carload shipment, or a lot of 60,000 pounds or more, on behalf of another person, who is the owner, thereof, and negotiates or has negotiated a sale of such oats in his own name, to a person other than himself, (except as provided in (i) below) on a legally constituted grain exchange in any of the following cities:

Amarillo, Texas; Buffalo, New York; Baltimore, Maryland; Chicago, Illinois; Cincinnati, Ohio; Dallas, Texas; Denver, Colorado; Des Moines, Iowa; Duluth, Minnesota; Enid, Oklahoma; Ft. Worth, Texas; Hutchinson, Kansas; Indianapolis, Indiana; Kansas City, Missouri; Louisville, Kentucky; Memphis, Tennessee; Milwaukee, Wisconsin; Minneapolis, Minnesota; Nebraska City, Nebraska; New York, New York; Omaha, Nebraska; Peoria, Illinois; Philadelphia, Pennsylvania; St. Joseph, Missouri; St. Louis, Missouri; Salina, Kansas; Sioux City, Iowa; Toledo, Ohio, and Wichita, Kansas.

(i) The requirement that the sale must be to a person other than the commission merchant will be waived if at all times from January 1, 1943 to and including the time of sale such purchase has been permissible under the rules of the exchange or under the law of the state in which the exchange is located.

Regardless of any of the provisions of this supplement, division of commission charges may be made with and paid to exchange members in accordance with rules of the respective exchanges which were in effect January 1, 1943, and sellers of oats who are members may receive such divisions.

¹ 9 F.R. 8304.

² 9 F.R. 8311; 10871; 11003.

This amendment shall become effective November 6, 1944.

Issued this 1st day of November 1944.

CHESTER BOWLES,
Administrator.

Approved: October 24, 1944.

WILSON COWEN,
Acting War Food Administrator.

[F. R. Doc. 44-16781; Filed, Nov. 1, 1944;
11:54 a. m.]

Issued this 1st day of November 1944.

CHESTER BOWLES,
Administrator.

Approved: October 24, 1944.

WILSON COWEN,
Acting War Food Administrator.

[F. R. Doc. 44-16780; Filed, Nov. 1, 1944;
11:54 a. m.]

PART 1351—FOOD AND FOOD PRODUCTS

[FFPR 2,¹ Amdt. 3 to Supp. 3²]

BARLEY

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Section 5 (b) (13) of Supplement 3 to Food Products Regulation 2 is amended to read as follows:

(13) "Commission merchant" means, with respect to any lot of barley, a person who receives a carload shipment, or a lot of 60,000 pounds or more, on behalf of another person who is the owner, thereof, and negotiates or has negotiated a sale of such barley in his own name, to a person other than himself, (except as provided in (i) below) on a legally constituted grain exchange in any of the following cities:

Amarillo, Texas; Buffalo, New York; Baltimore, Maryland; Chicago, Illinois; Cincinnati, Ohio; Dallas, Texas; Denver, Colorado; Des Moines, Iowa; Duluth, Minnesota; Enid, Oklahoma; Ft. Worth, Texas; Hutchinson, Kansas; Indianapolis, Indiana; Kansas City, Missouri; Louisville, Kentucky; Memphis, Tennessee; Milwaukee, Wisconsin; Minneapolis, Minnesota; Nebraska City, Nebraska; New York, New York; Omaha, Nebraska; Peoria, Illinois; Philadelphia, Pennsylvania; St. Joseph, Missouri; St. Louis, Missouri; Salina, Kansas; Sioux City, Iowa; Toledo, Ohio; and Wichita, Kansas.

(i) The requirement that the sale must be to a person other than the commission merchant will be waived if at all times from January 1, 1943 to and including the time of sale such purchase has been permissible under the rules of the exchange or under the law of the state in which the exchange is located.

Regardless of any of the provisions of this supplement, division of commission charges may be made with and paid to exchange members in accordance with rules of the respective exchanges which were in effect January 1, 1943, and sellers of barley who are members may receive such divisions.

This amendment shall become effective November 6, 1944.

¹Copies may be obtained from the Office of Price Administration.

²9 F.R. 8304.

³9 F.R. 9091, 11003.

PART 1351—FOOD AND FOOD PRODUCTS

[MPR 280,¹ Amdt. 50]

PRIMOST CHEESE

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Maximum Price Regulation 280 is amended in the following respects:

1. Section 1351.807b is added to read as follows:

§ 1351.807b *Special provision for Primost cheese.* Notwithstanding the provisions of the next preceding § 1351.807a, all sellers of Primost cheese manufactured in the United States may add 3 cents per pound to their maximum prices as established under the provisions of § 1351.803 of this regulation.

Primost is a cheese made from whey by the following process: Liquid whey, which may or may not have been separated to remove the fat, is heated until the albumin rises to the surface. This is removed and saved for incorporation into the cheese later. To the remaining whey is added table sugar (sucrose) at the rate of 0.56 pounds for each 100 pounds of whey. This is evaporated to about one-fourth its original volume by boiling, at which stage the albumin is reincorporated. The cheese is then cooled and molded. It contains not over 25 percent moisture.

This amendment shall become effective November 6, 1944.

Issued this 1st day of November 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-16782; Filed, Nov. 1, 1944;
11:54 a. m.]

PART 1351—FOOD AND FOOD PRODUCTS

[RMPR 289,¹ Amdt. 13]

DAIRY PRODUCTS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Maximum Price Regulation 289 is amended in the following respects:

¹9 F.R. 6520, 9090, 10358.

²9 F.R. 5140, 5427, 5429, 5588, 5917, 5919, 5921, 6105, 7699, 10090, 10579, 10871, 11171.

1. Section 20 (a) (3) (i) is amended to read as follows:

(3) *Sales by a primary distributor*—

(1) *Definition.* A "primary distributor" is one who sells butter to jobbers, retailers distributing warehouses, non-federal governmental users, to commercial, institutional, or industrial users, or to anyone who sells butter to any of these named purchasers. *Provided however,* No one shall be considered a primary distributor unless he is either:

(a) A person who buys and physically receives butter from another person, or

(b) A branch warehouse of a creamery or manufacturer of butter located in a city, town, village, or hamlet other than that in which the butter sold by it is manufactured,

and unless he meets the following requirements:

(1) He must own or lease and maintain a refrigerated or segregated, specific space in a refrigerated warehouse.

(2) Such warehouse or warehouse space must not be leased, rented, or in any other way procured from or furnished by any person (including such person's principal, agent, partner, employee, subsidiary, trustee, associate, or affiliate) from whom he purchases or receives butter or to whom he sells or delivers butter.

(3) He actually warehouses the butter sold by him, by unloading it from its carrier, physically placing it in the warehouse described above where it must come to rest, and by removing it from the warehouse by loading it on a carrier.

(4) He bears and pays for all labor costs involved in the warehousing of the butter, and in the handling of such butter into, within, and out of the warehouse.

(5) And if he seeks status as a primary distributor under subdivision (1) above, he must at the warehouse described above physically weigh and grade all butter received by him and must preserve at said warehouse for inspection by officials of the United States Government or its agencies complete records showing the facts and results of such weighing and grading, the lot numbers of all butter weighed and graded, and the name and address of the seller of each lot of butter received at the warehouse.

This amendment shall become effective November 6, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

NOTE: The record-keeping provisions of this regulation have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 1st day of November 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-16786; Filed, Nov. 1, 1944;
11:55 a. m.]

FEDERAL REGISTER, Thursday, November 2, 1944

PART 1418—TERRITORIES AND POSSESSIONS
[MPR 373,¹ Amdt. 91]

GROCERY ITEMS IN HAWAII

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Section 41 is amended to read as follows:

SEC. 41. Maximum prices at retail for certain grocery items.—(a) *What this section covers.* This section fixes maximum prices at retail for all grocery items listed and described in paragraph (f) of this section.

(b) *Maximum prices.* There are two types of maximum prices fixed by this section.

(1) *Dollars and cents prices.* Flat, or dollars and cents maximum prices are established and listed for certain named items according to commodity classifications in Table A. In addition, provision is made in paragraph (e) for the addition in certain zones of transportation and delivery differentials to these prices.

(2) *Calculated maximum prices.* The maximum prices for all items other than those named items which are given dollars and cents maximum prices in Table A are established according to the method set forth in Table B. As in the case of dollars and cents maximum prices, provision is made in paragraph (e) for the addition of transportation and delivery differentials to these prices in certain areas. However, if a specific dollars and cents maximum price is set forth in Table A for any item, you may not compute your maximum price for that item under Table B.

(c) *How you determine your "net cost" for calculated maximum prices.*

(1) If you are a peddler, i. e., an itinerant retail merchant, and your supplier has purchased from a wholesaler in the Territory of Hawaii, your "net cost" shall be the maximum price of the primary wholesaler as established under Section 41a of this regulation.

(2) If you are a retailer (other than a peddler) located on the islands of Oahu, Molokai, Kauai, or in an area other than the island of Lanai and zones 2 and 3 on the islands of Hawaii and Maui, you shall determine your "net cost" for all grocery items as follows:

(i) *Local purchases.* "Net cost", in case the item is purchased from a supplier on the same island, means an amount equal to your supplier's selling price, less all discounts except the discount for prompt payment.

(ii) *Inter-Island purchases.* "Net cost", in case the item is purchased from a supplier located on another island, means an amount equal to the sum of your supplier's selling price (less all dis-

counts except the discount for prompt payment) and all transportation costs actually incurred by you to place the item at the shipping terminal of the island of destination.

(iii) *Mainland purchases.* "Net cost", in case the item is imported and purchased directly from a supplier located on the Mainland, means an amount equal to the maximum wholesale price of primary wholesalers to retail grocery stores in the island of destination for such items determined under Section 41a of this regulation.

(3) If you are a retailer (other than a peddler) located on the Island of Lanai or in zones 2 and 3 on the islands of Hawaii and Maui, you shall determine your "net costs" for all grocery items as follows:

(i) "Net cost" on the island of Lanai shall be determined in the manner set forth in subparagraph (2) above except that under subdivision (ii) (Inter-Island Purchases) no transportation costs incurred by you to place the item at the shipping terminal on the island of Lanai may be added.

(ii) "Net cost" in zones 2 and 3 on the island of Hawaii shall be determined in the manner set forth in subparagraph (2) above, except that no transportation costs to zones 2 and 3 from any point within the island of Hawaii shall be included, whether incurred by you or by your supplier.

(iii) "Net cost" in zones 2 and 3 on the island of Maui shall be determined in the manner set forth in subparagraph (2) above, except that when your supplier is located outside the zone in which you are located, your "net cost" shall be the sum you paid your supplier less all discounts except the discount for prompt payment, plus all transportation costs actually incurred to bring the commodity to your place of business, not to exceed public carrier rates.

(4) If you are a retailer operating multiple grocery outlets and you receive an item which has a "net cost" different from that of an identical item on hand, you may use as your "net cost" for that item a weighted average "net cost" of the inventory on hand. If you operate only one store, you must determine your "net cost" for each such delivery separately, and market the item on a "first in first out" basis.

(d) *Record and posting requirements.* Notwithstanding the provisions of section 10 (a) and (b) of this regulation, you must comply with the following record and posting requirements:

(1) Keep and maintain for one year after you received them all of your invoices, freight bills and other records showing the price you paid and the date you received delivery of each item covered by this section. In addition, these records should include the name and address of the person selling to you, the direct cost of the merchandise and the quantity purchased.

(2) Prepare and keep a "Price Book" and enter therein, in the case of items for which you must compute your ceil-

ing prices under Table B (not the items for which dollars and cents prices are specified), the following information with respect to each such item.

(i) Your "net cost".
(ii) The number of retail units in the customary wholesale unit (e. g. 48 cans to a case).

(iii) Every step in the calculation, including the division factor used, and

(iv) The resulting ceiling price per retail unit. In addition, multiple outlet retail stores must enter in the "Price Book" the quantity purchased in case their ceiling price for a particular item is computed on a weighted average net cost basis.

You must show your records and your "Price Book" to any OPA representative on request.

(3) Prices which you must post. At all times you must have your current selling price for each item covered by this section clearly shown on the item or at or near the place in your store where the item is offered for sale. Of course, this posted price must never exceed your ceiling price.

You must also post in a conspicuous place your official list of "OPA Grocery Ceiling Prices" and the printed statement that "All Grocery Prices in This Store Are at or Below OPA Ceiling Prices."

In addition, if your store is located in zones 2 and 3 in the Territory of Hawaii, for which a transportation differential is permitted under paragraph (e) below, you must also post and prominently display your official OPA poster which states the right of your store to such differential.

You may obtain copies of the required OPA list, statement, or poster from your local War Price and Rationing Board or local OPA Office.

(e) *Zones and transportation differentials.* In order to allow for the varying transportation costs involved in the different localities in the Territory, the following pricing zone and transportation differentials are established:

The geographic areas located in the precincts and districts referred to in this paragraph are defined in the proclamation issued by the Government of the Territory of Hawaii on August 2, 1938, governing the election precincts and districts in the Territory of Hawaii, except where otherwise specified.

(1) *Zone 1.* Zone 1 is comprised of the following areas:

(i) *Oahu.* All of the island of Oahu except the City of Honolulu as defined by section 3001, Revised Laws of Hawaii, 1935.

(ii) *Hawaii.* All of precincts 1, 2, 3, 4, and 5, and all territory south of the line connecting the east corner to the west corner of precinct 6, in the First Representative District. All of precincts 1, 2, 3, 4, 5, 10, 11, 12, and 13, and all of precinct 9 except that section lying northwest of the line connecting the topmost point of Mount Hualalai to the

*Copies may be obtained from the Office of Price Administration.

¹ 8830, 9288, 9289, 9891, 9902, 9907, 10305, 11544, 11545, 11961, 12090, 12342, 12360, 12418, 12419, 12539, 12698.

southern boundary of Keauhou Bay, in the Second Representative District.

(iii) *Maui*. Precinct 27 on the island of Maui.

(iv) *Kauai*. All of precincts 9, 10, and 11 on the island of Kauai.

(v) *Molokai*. All of precincts 29, 30, and 33 on the island of Molokai.

Specific maximum prices for family flour, milled rice and white granulated sugar have been established in Table A for retailers whose stores are located in Zone 1.

(2) *Zone 2*. Zone 2 is comprised of the following areas:

(i) *Lanai*. All of the island of Lanai.

(ii) *Maui*. All of precincts 21, 22, 23, 24, and 26 on the island of Maui.

(iii) *Hawaii*. All of precincts 22, 23, 24, 25, 26, 27, 28, and 29 of the First Representative District, and all of precincts 14 and 15 of the Second Representative District, on the island of Hawaii.

Retailers whose stores are located in zone 2 may add 2% to the maximum prices listed in Table A or computed under Table B of this section. This addition must be made as a separate computation at the time of payment.

(3) *Zone 3*. Zone 3 is comprised of the following areas:

(i) *Molokai*. All of the island of Molokai.

(ii) *Maui*. All of precinct 25 on the island of Maui.

(iii) *Hawaii*. All of precincts 1 through 13, inclusive, of the Second Representative District on the Island of Hawaii.

Retailers whose stores are located in zone 3 may add 3% to the maximum prices listed in Table A or computed under Table B of this section. This addition must be made as a separate computation at the time of payment.

(f) *Definitions*. All grocery items covered by this section are divided into commodity classification numbers which are defined as follows:

When any grocery item covered by this section is composed of commodities defined under two or more of the following commodity classifications contained in this paragraph (f), such item shall be classified under that commodity classification in which the largest single ingredient (measured by weight) is defined.

(1) "Baby foods" mean all foods prepared in containers of glass, tin, or other material, especially designed for the nourishment of infants and juniors, such as strained or diced vegetables, and baby cereals such as Pablum, Pabena, and Cerevim. Excluded from this classification are SMA products, Mead Johnson products other than Pablum and Pabena, Nestle's and Mellin's Baby Foods, Lactogen, Beta-Lactose, and other proprietary baby foods customarily listed by drug wholesalers, and normally purchased for use under the direction of a physician. Sales of baby cereals such as Pablum, Pabena, and Cerevim by drug stores are not covered by this section.

(2) "Beans and peas, dried edible" mean all bulk or packaged threshed and dried field or garden beans, peas, and lentils, used for human consumption.

(3) "Beverage bases and concentrates" mean any preparations in concentrated form used for the home preparation of a non-alcoholic beverage by the addition of liquid, and for the base in the home preparation of preserves, jellies and similar items. This classification includes, but is not limited to, such preparations as Certo, Kool-Aid, Ovaltine, Hires Root Beer Extracts, Instant Coffee, and similar products. Excluded from this classification are unconcentrated coffee, malted milk tablets, or any bottled ready to drink beverage such as Ginger Ales, Colas, and Tom Collins mixes. Malted milk, chocolate and plain, shall be considered a beverage concentrate only when sold by grocery stores.

(4) "Bakers supplies" mean all supplies sold for use in the home preparation of bakery products, and shall include, but are not limited to, baking powder, baking soda, mince meats, bread crumbs, cracker crumbs, and yeast. This classification does not include flour, sugar or any other commodity included in any other classification contained in this section or specifically covered by another regulation.

(5) "Cereals" mean bulk or packaged processed cereal grains used as breakfast foods, both uncooked and ready to eat types. This classification includes, but is not limited to, hominy grits, puffed rice and puffed wheat. It does not include buckwheat flour, corn meal, pancake flour, pearly barley, and rice.

(6) "Cocoa and chocolate" include, but are not limited to, powdered, cake, and cooking chocolate. This classification does not include chocolate candy, chocolate coated candy, or liquid chocolate.

(7) "Condiments and sauces" mean any food garnishes in metal, glass or any other containers, including, but not limited to, mustard, mustard horseradish, vinegar, soy, catsup, tomato sauce, hot sauce or paste, miso sauce, chili sauce, chutney, meat sauces, tobasco sauce, worcestershire sauce, cocktail sauce, pimientos, and maraschino cherries. This classification does not include dry mustard.

(8) "Charcoal" means any bagged charred wood, imported or locally produced.

(9) "Corn starch and other edible starches" means edible starches of all kinds, such as corn starch or potato starch.

(10) "Crackers, cookies, and specified cakes" means crackers, cookies, biscuits, pralines, fruit cakes, rum cakes, plum puddings, and filbits.

(11) "Dessert powders" means all concentrates of fruits or vegetables used in the preparation of gelatinous desserts, tapioca and sago.

(12) "Dessert preparations" means all canned and packaged preparations ready to serve for dessert and all preparations

used primarily in the serving or preparation of desserts, such as chocolate sauce, marshmallow cream, assorted fruits for fruit cake, glazed fruits, orange citron and lemon peel.

(13) "Flour, bakers and family". "Bakers flour" means wheat flour in bulk which is sold for use by commercial, institutional, or governmental users. "Family flour" means wheat flour which is packed and sold for ultimate use in the home.

(14) "Flour, prepared packaged" means flour and flour mixes made from buckwheat, corn, potatoes, rice, wheat, and soy bean, and includes, but is not limited to, corn meal, pancake, waffle and biscuit flours, and any other ready-to-use packaged flour, which is not set forth in any other classification contained in this section.

(15) "Flour, prepared packaged cake" means flour and flour mixes made from buckwheat, corn, potatoes, rice, wheat or any other material and designed primarily for use in the making of cakes.

(16) "Fruits and vegetables, quick-frozen". Quick-frozen fruits means all fruits, berries, fruit or berry juices, and mixtures which have been quick-frozen. Quick-frozen vegetables means all vegetables, vegetable juices, and mixtures which have been subjected to a quick-freezing process.

(17) "Fruits and berries, canned" means fruits and berries in containers of metal, glass, or any other material, and include, but are not limited to, such fruits or berries as apples, applesauce, apricots, cranberries, cherries (both dark and light), papaya, guava, and raspberries. This classification does not include fruits or berries packed in liquors or vinegars, quick-frozen fruits or berries, maraschino cherries, and cranberry sauce.

(18) "Fruits, dried" mean fruits or parts thereof from which the major portion of moisture has been removed by natural or artificial drying, and include, but are not limited to, apples, apricots, currants, dates, figs, grapes (raisins), nectarines, peaches, pears, and prunes.

(19) "Juices, canned" mean berry juices, citrus fruit juices, fruit juices and nectar, and vegetable juices packed in containers of metal, glass, or any other material. This classification does not include quick-frozen juices.

(20) "Mayonnaise, salad dressings, and sandwich spreads" means all prepared dressings for salads, relish, spreads, sandwich spreads with a mayonnaise or cheese base, and welsh rarebit. This classification does not include cooking and salad oils, or cheeses in other than spread form.

(21) "Chicken, turkey, and other poultry preparations" means preparations of chicken and turkey, geese, pheasant or other poultry or game packed in metal, glass, or any other material, and includes mixtures of poultry with noodles or other ingredients, goose liver mixes, and any other preparations made from poultry.

(22) "Meats, canned" means canned meats and meats in combination with

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other foods (in containers of tin, glass, or any other material) such as luncheon meats, meat spreads, sausages, hamburger, loaf goods, brains, tongues, bacon, corned beef, spaghetti and meat balls, stew (if in chief part meat), chili con carne, tamales, raviolas, tortillas, and similar items, when sold uncut by the retailer, whether in shelf sizes or not, and whether or not customarily stored under refrigeration. This classification does not include meats opened by the retailer and then sold in less than the customary retail unit.

(23) "Milk products" indicates derivative milk products from cows, goats, or other animal milk, and includes, but is not limited to, evaporated milk, powdered milk (other than skim), condensed milk, homogenized cream. This classification does not include butter, cheese, powdered skim milk, fresh milk, or malted milk.

(24) "Nuts". "Packaged nuts" means all nuts packed in glass, tin, or cartons, shelled or unshelled, roasted or unprocessed, and includes but is not limited to, almonds, macadamia nuts, and peanuts whether locally grown or imported. "Bulk nuts" means nuts which are not customarily sold by the retailer in the original package. This classification does not include any packaged nuts sold at retail for 10¢ or less per minimum retail unit.

(25) "Olives" means all kinds of olives, whether green, ripe, stuffed, oiled, brined, and includes olives packed in vinegar and mustard.

(26) "Paper products" means specifically toilet tissue, paper towels, paper napkins, picnic supplies, and wax paper. Picnic supplies include only paper eating implements, drinking straws, paper table cloths, plates, and cups.

(27) "Paste products" means all canned, packaged and bulk macaroni, shells, noodles, spaghetti, vermicelli, and long rice, whether cooked or uncooked. This classification does not include cooked paste products containing meat or poultry.

(28) "Pet foods and supplies" means all kinds of pet foods, packaged, bulk, canned or dry and such pet supplies as catnip, cuttlebone and gravel. This classification does not include pet foods and supplies sold in pet stores.

(29) "Pickles and certain fruits and vegetables" means all kinds of pickles, whole, diced, or sliced, including pickles packed in vinegar, brine or mustard, and fruits or vegetables packed in vinegar or liquors, such as spiced tomatoes, but does not include other fruits and vegetables packed in brine or heavy syrup, either spiced or unspiced.

(30) "Popcorn, potato chips, and shoestring potatoes". "Popcorn" means corn intended for the purpose of making popcorn and corn already popped, packed in cartons, bags, or any other containers. "Potato chips and shoestring potatoes" means thinly sliced, fried, ready to eat potatoes packed in cartons, bags, or any other containers. This classification does not include popcorn sold in other than retail grocery stores.

(31) "Preserves, jams, jellies, and peanut butters" means all preserves, jams, jellies and marmalades including preserves of fruit, berries, or vegetables, and all kinds of spreads of ground peanuts irrespective of the size of the granules or pieces of peanuts contained therein and peanut butter chunk, and cranberry sauce.

(32) "Rice" means all grades of white and brown milled rice sold in all types of containers.

(33) "Salt" includes all table and cooking salt, and salt for home use such as the making of ice cream.

(34) "Seafood, canned" means all processed fish and sea food packed in metal, glass or any other container and includes, but is not limited to, abalone, crab meat, shrimp, codfish, clams, prawns, canned clam juice, and clam broth. This classification does not include seaweed, clam and fish chowder, or fresh, dried, salted, smoked, shredded or frozen fish.

(35) "Soap, laundry" means all bar and packaged soap for home use other than toilet soap. This classification includes laundry soap in bars, cakes, chips, powder, plain, granulated, or liquid form.

(36) "Soap, toilet" means bar and packaged toilet soaps in bar, cake, chip, powder, plain, granulated, or liquid form used primarily for the purpose of personal cleanliness. This classification does not include toilet soaps, which, when priced in accordance with the provisions of this section, results in a maximum price at retail in excess of 10¢ per minimum retail unit, unless a dollar and cent price for such soap is specifically listed in Table A of this section. Wherever a soap is in general use, both for household and personal use, it may be priced as a toilet soap.

(37) "Soups, canned" means any soups, chowder, or broths in containers of metal, glass, or any other material and includes condensed soups, clam or fish chowders and broths. This classification does not include clam juices or broth.

(38) "Soups, dehydrated" means any commodity intended for the making of soup by the addition of liquid and shall include, but is not limited to, noodle soup mixes, pearl barley, and other grains used in the making of soup.

(39) "Spices and extracts" means all kinds of spices and extracts, including, but not limited to sodium glutenate, food seasoning, grated cheese, cinnamon, pepper, bouillon cubes, coloring matter, and dry mustard.

(40) "Cleansers and certain home supplies" includes bleaches, abrasive powders for scouring, laundry starch, bluing and other home laundry supplies, paro wax, canning rubbers, and other home preserving supplies. This classification does not include poisonous home supplies the merchandising of which requires a license, and brass, metal, and silver polish, upholstery, floor, rug, wall, and dry cleaners or certo.

(41) "Sugar" means all sugar or specialty sugar, sold in packages, carton, or bulk, imported from the main-

land or manufactured in the Territory of Hawaii.

(42) "Syrups, molasses, and honey" means all edible molasses, sorghum, cane, maple and corn syrups and blends thereof, and all locally produced and imported comb and extracted honey and combinations of extracted and comb honey.

(43) "Tea" means all kinds of tea, green and black, packaged and in bulk.

(44) "Vegetables, canned" means vegetables packed in containers of metal, glass, or any other material and includes but is not limited to, beans, carrots, corn, okra, mushrooms, seaweed, poi, wild rice, rhubarb, sauerkraut, stew, if in chief part vegetables, and all vegetables packed in brine or heavy syrup, either spiced or unspiced.

(45) "Vegetables, dehydrated" means vegetables or vegetable mixtures which are prepared for consumption by the addition of liquid to restore the product to its original condition.

(46) "Wooden products" means products of wood locally made or imported, and limited specifically to the following: housebrooms with brushes of straw and their constituent parts, matches (including book matches), clothes pins and tooth picks.

(47) "Coffee" means roasted coffee either whole or ground; decaffeinated coffee; chicory; coffee compounds consisting of a blend of coffee and any other product; cereals, beans, peas, and other products and concentrates thereof designated as or intended for use as coffee substitutes or coffee extenders. This classification includes all imported and locally produced coffee but does not include coffee concentrates such as Instant Coffee.

(48) "Oils, cooking and salad" means all vegetable, fruit and leaf plant oils, whether pure or mixed. This classification includes, but is not limited to, olive, peanut, cottonseed and corn oils. It does not include prepared dressings, nor does it include mineral and olive oil sold by drug stores or department stores.

(49) "Oleomargarine" means any packaged colorless spread for bread, the merchandising of which requires a Federal license.

(50) "Shortening and lard" means any vegetable or animal fats used for cooking, sold in bulk or in packaged shelf sizes.

(51) "Sea food, dried and shredded" means sea food such as codfish and shrimp imported in a dried condition, and sold either shredded or unshredded.

(52) "Candy, imported" means any imported confectionery, the maximum price of which, if priced in accordance with the provisions of this section, would be 11¢ or over per minimum retail unit.

(53) "Miscellaneous grocery items" means any food items sold in retail grocery stores which are not specifically set forth in any other commodity classification contained in this paragraph and which are not covered by any other section of this regulation, or the General Maximum Price Regulation for the Territory of Hawaii.

TABLE A—DOLLARS AND CENTS MAXIMUM PRICES
FOR CERTAIN GROCERY ITEMS IN THE TERRI-
TORY OF HAWAII

(a) This Table A applies to all retailers of grocery items covered by this section located in the Territory of Hawaii. If the item being priced is not listed in this Table A, then the retailer shall compute his maximum

prices in accordance with the provisions set forth in Table B of this section.

(b) "Commodity classification number", as used in this table, means the number assigned to the particular subdivision contained in paragraph (f) of this section, in which the grocery items listed are classified and defined.

(c) The following maximum prices are established for sales by retailers in the Territory of Hawaii. To these prices may be added the transportation differentials of 2% in Zone 2 and 3% in Zone 3 set forth in paragraph (e) of this section.

NOTE: Unless otherwise specified in the following table, the prices listed shall apply throughout the Territory of Hawaii.

TABLE A—DOLLARS AND CENTS MAXIMUM PRICES FOR CERTAIN GROCERY ITEMS IN THE TERRITORY OF HAWAII—Continued

Commodity classification No.	Grocery item	Maximum price per unit	Commodity classification No.	Grocery item	Maximum price per unit	
10.	Crackers etc.—Continued. Cream, Jersey and Royal, 5 lbs. Cream, Jersey and Royal, 2½ lbs. Graham, 6 lbs. Graham, 5 lbs. Graham, 3½ lbs. Graham, 1 lb. Graham, 12 oz. Graham, 7½ oz.	\$1.12 .56 1.35 1.12 .74 .23 .19 .10	Hawaii, Maui, Kauai	18.	Fruits, dried—Continued. Prunes, 60/70 and 70/80, lb., (if unmarked, costing \$3.72-\$3.78) Raisins, 15 oz. box	\$0.21 .17
11.	Dessert powders: Jello, all flavors, 3 oz. Royal, all flavors, 3½ oz. Knox Gelatine, carton of 4 env.	.08 .08 .23	19.	Juices, canned: Apple cider, Martinelli, ½ gal. Apple cider, Martinelli, qt. Apple juice: Hartmann, 12 oz. Hood, River, gal. Hood River, 32 oz. Hood River, 16 oz. Miller, 6 oz. S & W, 12 oz.	.63 .31 .18 .98 .29 .18 .12 .20	
12.	Dessert preparations: Hershey Chocolate Syrup, 16 oz. tin.	.12	Kauai	*Grape Juice: Church's, 16 oz. S & W, qt. S & W, pt. Tea Garden, qt. Welch, qt. Welch, pt.	.24 .46 .25 .53 .58 .31	
				Grapefruit juice: Exquisite, all types, No. 2 can. Florida Gold, unswt., 46 oz. Florida Gold, unswt., 18 oz. Floriland, No. 2 can. Silver Nip, 46 oz. Silver Nip, No. 2 can. Stokeley, all types, No. 2 can.	.18 .42 .18 .18 .43 .18 .18	
13.	Flour, bakers and family: Flour, family, 4.9 or 5 lbs. 49 or 50 lbs.	\$0.33 2.80 \$0.32 2.70 \$0.32 2.72 \$0.31 2.62 \$0.31 2.65	Kauai and Hawaii	Orange juice: Golden Nip, unsweetened, No. 2 can. Sunshine, No. 2 can.	.25 .25	
				Pineapple juices: Del Monte, Dole, Libby, 46 oz. Del Monte, Dole, Libby, No. 2 can. Vitagold, King of Hawaii, 46 oz. Vitagold, King of Hawaii, No. 2 can.	.32 .13 .30 .13	
14.	Flour, prepared packaged: Bisquick, Gold Medal, 40 oz. Bisquick, Gold Medal, 20 oz. Biski Mix, Fisher's, 40 oz. Buckwheat flour, Aunt Jemima, 20 oz. Buckwheat flour, Albers, 20 oz. Cornmeal, Albers white or yellow, 20 oz. Cornmeal, Sperry's white or yellow, 16 oz. Flapjack flour, Albers, 20 oz. Hot Cake Mix, Cinch, 16 oz. Pancake and waffle flour, Aunt Jemima, 20 oz. Pancake and waffle flour, Sperry, 28 oz. Pancake and waffle flour, Sperry, 14 oz. Waffle mix, Cinch, 16 oz.	\$0.40 .22 .40 .22 .19 .13 .12 .15 .25 .17 .25 .14 .30	Lanai	Tomato juice: CHB, 12 oz. Del Monte, No. 2 can (2 for 25c). Del Monte, 47 oz. Exquisite, 46 oz. Exquisite, No. 2 can. Glorietta, No. 2 tall (2 for 25c). Libby, 47 oz. Libby, No. 2 can (2 for 25c). Stokeley, 46 oz. Stokeley, No. 2 can. Swift's, No. 2 can (2 for 25c).	.09 .13 .27 .26 .12 .13 .29 .13 .26 .12 .18	
15.	Flour, prepared packaged cake: Cinch, Golden cake flour, 17 oz. Cinch Corn bread mix, 16 oz. Cinch Deviled Fudge mix, 16 oz. Duff's Gingerbread mix, 14 oz. Duff's Hot Muffin mix, 14 oz. Gold Medal, Softasilk, 44 oz. Swansdown, 44 oz.	.35 .23 .35 .32 .32 .34 .33	Kauai	Vegetable juice: Here's Health, No. 1 can. V-8 vegetable juice, 46 oz. V-8 vegetable juice, No. 2 can.	.14 .37 .19	
16.	Fruits and vegetables, quick frozen (see table B).			20.	Mayonnaise, salad dressings and sandwich spreads: Mayonnaise: Best Foods, 1 pt. Best Foods, 8 oz. Durkee, 1 pt. Durkee, 8 oz. Kraft, 1 qt. Kraft, 16 oz. Kraft, 8 oz.	.35 .20 .36 .21 .66 .38 .22
17.	Fruits and berries, canned: Applesauce, Libby, No. 2 can. Figs, Del Monte, 303 g. Figs, Del Monte, 2½ pt. Figs, S & W Delphi, No. 2 cyl. can. Fruit Cocktail, Exquisite, No. 2½ can. Fruit Cocktail, Exquisite, No. 1 can. Fruit Cocktail, S & W, No. 2½ can. Fruit Cocktail, Stokeley, No. 2½ can. Fruit Cocktail, Stokeley, No. 1 can. Pears, V. B., No. 2½ can.	.20 .26 .42 .47 .36 .20 .42 .36 .20 .32	Molokai	Salad dressings: Best Foods French Dressing, 8 oz. Durkee Salad Aid, 16 oz. Kraft French Dressing, 8 oz. Kraft Miracle Whip Salad Dressing, 32 oz. Kraft Miracle Whip Salad Dressing, 16 oz. Kraft Miracle Whip Salad Dressing, 8 oz. Kraft Miracle Whip French Dressing, 8 oz.	.17 .30 .19 .52 .32 .19 .19	
18.	Peaches, halves, "C", all brands, No. 2 can. Peaches, halves, "C", all brands, No. 2½ can. Peaches, sliced, "C", all brands, No. 2½ can.	.23 .28 .28	Kauai and Hawaii	Sandwich spreads: Best Foods Relish Spread, 16 oz. Best Foods Relish Spread, 8 oz. Kraft cream spreads: Old English and Roka, 5 oz. Pimento, Olive Pimento and Relish Spread, 5 oz. Kraft Miracle Whip Sandwich Spread, 16 oz. Kraft Miracle Whip Sandwich Spread, 8 oz.	.35 .20 .24 .21 .33 .19	
	Pineapples, Libby, Del Monte and Dole, sliced, No. 2½ can. Pineapples, Libby, Del Monte and Dole, sliced, No. 2 can. Pineapples, Libby, Del Monte, and Dole, crushed, No. 2 can. Pineapples, Vitagold, King of Hawaii, sliced, No. 2 can. Pineapples, Vitagold, King of Hawaii, crushed, No. 2 can. Plums, Del Monte Deluxe, No. 2½ gl. Prunes, All Gold Prepared, No. 2½ gl.	.24 .20 .19 .19 .18 .28 .31	Molokai	Pattabette cream spreads: Blue Label, Olive Pimento, 5 oz. Blue Label, Relish Spred, 5 oz. Blue Label, Pimento Spred, 5 oz. Blue Label, American Spred, 5 oz. Blue Label, American Pimento Spread, 5 oz. Cream Spreds, 6½ oz pkg.	.19 .19 .19 .22 .22 .22	
	Fruits, dried:		21.	Chicken, turkey, and other poultry preparations: Lynden Egg Noodles and Chicken, 16 oz. gl. Lynden Egg Noodles and Turkey, 16 oz. gl. Lynden Twisted Noodle Dinner, 16 oz. gl. Lynden Ravioli Italian Style, 16 oz. gl. Lynden Ravioli with chicken, 16 oz. gl. Lynden Boned Chicken, 3½ oz. gl. Lynden Sliced Chicken, 5½ oz. gl. Lynden Minced Chicken, 4 oz. gl. Lynden Diced Chicken, 4 oz. gl. Lynden Boned Turkey, 8 oz. gl. Lynden Chunk Turkey, 16 oz. tin. Lynden Chunk Chicken, 5½ oz. gl. Lynden Chicken à la King, 16 oz. gl. R & R Boned Chicken 4½ oz.	.36 .36 .17 .23 .54 .83 .45 .51 .1.02 .1.74 .83 .49 .80	

TABLE A—DOLLARS AND CENTS MAXIMUM PRICES FOR CERTAIN GROCERY ITEMS IN THE TERRITORY OF HAWAII—Continued

Commodity classification No.	Grocery item	Maximum price per unit	Commodity classification No.	Grocery item	Maximum price per unit			
22	Meats, canned: Bacon, Hygrade, sliced, 24 oz. tin..... Chile con carne IXL, 1½ oz. gl..... Corned Beef Hash, Libby, No. 2 can..... Chile con carne, Van Camp's, 17 oz. gl..... Chile con carne (without beans), Cudahy, 16 oz. gl..... Deviled Ham, Libby, ¾ tin..... Deviled Ham, Cudahy, ¾ tin..... Deviled Ham, Underwood, ¾ tin..... Deviled or Potted Meat, All Brands, ¾ tin..... Deviled or Potted Meat, All Brands, ¾ tin (2 for 15c)..... Ham Spread, Libby, ¾ tin..... Ham, chopped, All Brands, 12 oz..... Lunch, Tongue, Star, No. 1 tin..... Lunch Tongue, Libby, No. ¾ tin..... Lunch Tongue, Cudahy, No. ¾ tin..... Luncheon Meat, All Brands, 12 oz..... Pork Feet Cutlets, Star, 9 oz..... Pork Sausage, Eagle, 24 oz..... Pork Sausage, Hy-Grade Bulk, 24 oz. tin..... Pork Link Sausage, Hygrade, 2 lbs..... Pork Link Sausage, Cudahy, 8 oz..... Ravoli Riviera, 16 oz. gl..... Sheep Tongue, Star No. 1 tin..... Sheep Tongue, Star No. ½ tin..... Tamales, Star, 10½ oz..... Tongue Spread, Libby, No. ¾ tin..... Veal Loaf, Libby, 7 oz..... Vienna Sausage, Libby, No. ¾ tin..... Vienna Sausage, Star, No. ¾ tin..... Vienna Sausage, Cudahy, No. ¾ tin..... Vienna Sausage, Hy-Grade, 24 oz. tin..... Vienna Sausage, Dold, 24 oz. tin.....	\$0.81 .50 .28 .38 .35 .19 .19 .22 .12 .08 .19 .37 .51 .27 .29 .36 .26 .53 .70 .1.22 .37 .17 .39 .21 .21 .13 .22 .14 .15 .17 .99	20	Pickles and certain fruits and vegetables: CHB Sweet Whole, 24 oz..... CHB Sweet Whole, 12 oz..... CHB Dill, 24 oz..... CHB Dill, 12 oz..... CHB, Sweet Mixed, 12 oz..... CHB, Sweet Mixed, 8 oz..... CHB, Preserved Ting Sweet Midgets, 12 oz..... Libby Green Spiced Tomato Slices, No. 2½ gl.....	\$0.52 .31 .36 .23 .31 .22 .38 .32			
23	Milk products: Avoset Whipping Cream, ½ pt..... Avoset Light Cream, ½ pt..... Eagle Condensed Milk, 14 oz. can.....	.37 .27 .24	30	Popcorn, potato chips, and shoestring potatoes: Potato Chips, all brands, 4 oz. pkg..... Potato Chips, all brands, 3 oz. pkg..... Potato Chips, all brands, 2 oz. pkg..... Potato Chips, all brands, 1 oz. pkg.....	.20 .15 .10 .05			
24	Nuts: Planters' Peanuts, 5 oz..... West Star Almonds, 4 oz. pkg..... West Star Mixed Nuts, 4 oz. pkg.....	.17 .50 .35	20	Preserves, jams, jellies and peanut butters: Berryland assorted preserves, 2 lb..... Cranberry Sauce, Ocean Spray (dehydrated), 4 oz. pkg.....	.56 1.02			
25	Olives:		30	Dude Ranch Loganberry Jam, 2 lb..... Dude Ranch Boysenberry Jam, 2 lb..... King Kelly Orange Marmalade, 1 lb..... King Kelly Orange Marmalade, 1 lb..... Mary Ellen Grape Jam, 2 lb..... Mary Ellen Cherry Preserves, 1 lb..... Prince Finest Peach Preserves, 1 lb..... Tru-Hawaiian Guava Jelly, 20 oz..... Tru-Hawaiian Guava Jelly, 9 oz..... Tru-Hawaiian Youngberry Jelly, 9 oz..... Tru-Hawaiian Boysenberry Jelly, 9 oz..... Tru-Hawaiian Quince Lemon Jelly, 9 oz..... Tru-Hawaiian Blackberry Jelly, 9 oz..... Valamont Raspberry Preserves, 2 lb..... Valamont Blackberry Preserves, 1 lb..... Valamont Pineapple Preserves, 2 lb..... Valamont Cherry Preserves, 2 lb..... Valamont Grape Preserves, 1 lb..... Valamont Peach Preserves, 1 lb..... Valamont Plum Preserves, 1 lb..... Welch's Grapenade, 2 lb..... Welch's Grapenade, 1 lb..... Wellman's Orange Marmalade, 2 lb..... Wellman's Orange Marmalade, 1 lb.....	.59 .57 .36 .21 .21 .51 .48 .26 .38 .15 .19 .19 .16 .21 .70 .75 .39 .57 .70 .28 .36 .30 .51 .27 .46 .25			
26	Paper products:		30	Peanut butter: Armour's Star, 2 lbs..... Jane Goode, 32 oz..... Jane Goode, 24 oz..... Jane Goode, 16 oz..... Jane Goode, 8 oz..... Pickwick, 32 oz..... Pickwick, 24 oz..... Pickwick, 16 oz..... Pickwick, 8 oz..... Smile-Boy, 32 oz..... Smile-Boy, 24 oz..... Smile-Boy, 16 oz..... Smile-Boy, 8 oz..... Skippy Chunk, 16 oz..... Skippy Creamy, 16 oz.....	.64 .69 .54 .36 .20 .76 .61 .41 .24 .68 .54 .36 .20 .46 .46			
27	Paste products:		30	Kauai, Hawaii, Maui				
	Eagle Brand, Plain Noodle (Udon), 12 oz..... Eagle Brand, China Saimin Noodle & Hibiscus Saimin Noodle, 14 oz..... Eagle Brand, Fancy Noodles (Somen), 14 oz..... Eagle Brand, Round Noodle (Maruba), straight cut, 10 oz..... Eagle Brand, Round Noodle (Maruba), fancy curled, 8 oz. cel. pkg..... Eagle Brand, Saimin & Chow Fun, 8 oz..... Eagle Brand, Macaroni, spaghetti, Ditalini and shells, 8 oz.....	.15 .15 .15 .13 .15 .15 .10	32	Rice: U. S. No. 1: 100 lbs..... 50 lbs..... 25 lbs..... 10 lbs..... 1 lb.....	\$8.87 4.49 2.25 .90 .09	\$8.61 4.39 2.22 .90 .09	\$8.41 4.26 2.15 .88 .09	\$8.50 4.30 2.18 .88 .09
	Fontana Egg Noodles, 4 oz. (2 for 21¢)..... Fontana, other paste products, 8 oz..... Gold Medal elbow, cut and salad macaroni, 1 lb. (2 for 35¢)..... Gold Medal Macaroni and spaghetti, 1 lb (2 for 35¢)..... Gold Medal Sheils, 1 lb..... Gold Medal Egg Noodles, 1 lb. (2 for 59¢)..... Gold Medal Egg Noodles, 8 oz. (2 for 31¢)..... Kraft's Italian Dinner, 7½ oz..... Royal egg noodles, 6 oz..... Royal, other paste products, 8 oz..... Van Camp's Tenderoni, 6 oz..... Paste products, all brands, in bulk: Semolina macaroni, spaghetti and all semolina paste products, all brands in bulk, lb..... Flour macaroni, spaghetti and all flour paste products, all brands in bulk, lb.....	.11 .10 .18 .18 .18 .30 .16 .12	32	U. S. No. 2: 100 lbs..... 50 lbs..... 25 lbs..... 10 lbs..... 1 lb.....	8.77 4.44 2.25 .90 .09	8.57 4.34 2.20 .89 .09	8.31 4.21 2.13 .87 .09	8.40 4.25 2.16 .87 .09
	Pet foods and supplies:		32	U. S. No. 3 and brown:				
	Dog Food Friskies, Albers, 4½ lb..... Friskies, Albers, 2 lbs..... Friskies, Albers, 12 oz..... Husky Concentrated, 8 oz..... Pard Dog Food, 8 oz..... Swift's Dog Meal, 50 lb. bag..... Swift's Dog Meal, 25 lb. bag..... Swift's Dog Meal, 5 lb. bag.....	.59 .28 .11 .09 .13 .4.95 .2.58 .57	32	U. S. No. 4:				
	Bird Supplies: French's Bird Gravel, 1½ lb..... Robinson Blue Label Bird Seed, 12 oz..... S & W bird seed, 12 oz.....	.12 .14 .28	32	U. S. No. 5:				
			32	100 lbs..... 50 lbs..... 25 lbs..... 10 lbs..... 1 lb.....	8.47 4.29 2.20 .88 .09	8.27 4.19 2.12 .87 .09	8.02 4.16 2.10 .84 .09	8.11 4.11 2.08 .83 .09

TABLE A—DOLLARS AND CENTS MAXIMUM PRICES FOR CERTAIN GROCERY ITEMS IN THE TERRITORY OF HAWAII—Continued

Commodity classification No.	Grocery item	Maximum price per unit	Commodity classification No.	Grocery item	Maximum price per unit
33.....	Salt:		37.....	Soups—canned—Continued. Campbells—Continued.	
	Arden shaker, 2 lb.	\$0.08		Pepper Pot, 10½ oz. can (2 for 29¢)	\$0.15
	Arden shaker, 1½ lb.	.05		Scotch broth, 10½ oz. can (2 for 29¢)	.15
	Diamond Crystal shaker, 26 oz.	.11		Vegetable, 10½ oz. can	.15
	Leslie shaker, 2 lb.	.09		Vegetarian, veg., 10½ oz. can	.15
	Morton plain and iodized shaker, 26 oz.	.09		Tomato, 10½ oz. can	.11
	Snowflake shaker, 2 lb.	.11			
	Bulk salt, lb.	.02	Heinz:		
				Chicken noodle, 11 oz. can	.18
34.....	Seafood, canned:			Asparagus, 11 oz. can (2 for 33¢)	.17
	Crabmeat, Newport, No. ½ tin	.62		Bean, 11 oz. can (2 for 33¢)	.17
	Crabmeat, Dungeness, regular, No. ½ tin	.56		Gumbo creole, 11 oz. can (2 for 33¢)	.17
	Crabmeat, Dungeness, legmeat, No. ½ tin	.70		Scotch broth, 11 oz. can (2 for 33¢)	.17
	Crabmeat, Tokeland, fancy, No. ½ tin	.55		Vegetable, 11 oz. can (2 for 33¢)	.17
	Herring, Landing, kippered, No. ½ tin	.22		Vegetarian, 11 oz. can (2 for 33¢)	.17
	Mackerel, Sea Ace, No. 1 tall tin	.19		Green pea, 11 oz. can	.17
	Mackerel, Filets, Sea Ace, No. 1 tall tin	.57		Tomato, 11 oz. can	.13
	Oysters, American Beauty, 7½ oz.	.43		Lynden's chicken noodle soup, 10½ oz. can	.11
	Oysters, Biloxi, 7½ oz.	.50		Morton House turkey consomme with noodles, 10½ oz. can	.12
	Oysters, C. C., 7½ oz.	.45		Richardson & Robbins chicken broth (R&R), 12½ oz. can	.26
	Oysters, Clipper, 7 oz.	.42		Snow's clam chowder, 15 oz. can	.36
	Oysters, Green Wave, 7½ oz.	.43		Snow's fish chowder, 15 oz. can	.36
	Oysters, High Seas, 7 oz.	.42		Van Camp's asparagus soup, 10½ oz. can	.10
	Oysters, Marlinelo, 5 oz.	.33	38.....	Soups, dehydrated:	
	Oysters, Sea Coast, 7½ oz.	.50		Dainty noodle, 2½ oz. pkg.	.09
	Oysters, Treasure Bay, 7½ oz.	.50		Lipton, 2½ oz. pkg. (2 for 19¢)	.10
	Salmon, red, No. 1 tin	.45		Rhapsody, 2½ oz. pkg.	.10
	Salmon, Chinook, flats, No. ½ tin	.38	39.....	Spices and extracts:	
	Salmon, Chinook, flats and talls, No. 1 tin	.63		Burnett's:	
	Salmon, Chinook A Alaska King, No. 1 flat	.61		Vanilla extract, 4 oz.	.85
	Salmon, Pink, No. 1 tin	.25		Vanilla extract, 2 oz.	.44
	Salmon, Chinook A Alaska, King, No. 1 tall	.42		Vanilla extract, 1 oz.	.24
	Salmon, Alaska B Sockeye Puget Sound, No. 1 flat	.59		Schilling's:	
	Salmon, Cohoes C, No. 1 flat	.38		Lemon extract, 8 oz.	1.71
	Salmon, Cohoes C, No. 1 tall	.35		Lemon extract, 4 oz.	.87
	Squid, Cresta Blanca, No. 1 tall	.18		Lemon extract, 2 oz.	.44
	Squid, Prefet, No. 1 tall	.17		Lemon extract, 1 oz.	.26
	Tuna, various brands, light meat, fancy, No. ½ tin	.32		Vanilla extract, 8 oz.	1.61
35.....	Soap, laundry:			Vanilla extract, 4 oz.	.82
	Blue mottled soap, cake—60s	.07		Vanilla extract, 2 oz.	.43
	Blue mottled soap, cake—100s	.06		Vanilla extract, 1 oz.	.24
	Borene, granulated, giant pkg	.91		Lemon extract, 8 oz.	.24
	Borene, granulated, thrift pkg	.46		Lemon extract, 4 oz.	.23
	Borene, granulated, lge. pkg	.32		Lemon extract, 2 oz.	.10
	Calla Lilly granulated, 23 oz. pkg	.29		Pepper, black, 8 oz. tin	.07
	Crystal White, reg. size pkg	.05		Pepper, black, 2 oz. gl.	.07
	Fels Naphtha, bar pkg	.06		Pepper, black, 2 oz. tin	.10
	Ivory soap flakes, large pkg	.30		Pepper, cayenne, 2 oz. gl.	.15
	Ivory soap flakes, small pkg	.12		Pepper, white, 2 oz. gl.	.13
	Ivory Snow, large pkg	.30		Pepper, white, 2 oz. tin	.10
	Ivory Snow, small pkg	.12	38.....	Spices, miscellaneous:	
	Lava, lge. bar	.12		Schilling's:	
	Lava, sml. bar	.08		Allspice, 2 oz. gl.	.15
	Lux flakes, lge. pkg	.29		Celery salt, 3 oz. gl.	.16
	Lux flakes, small pkg	.12		Chili powder, 2 oz. gl.	.20
	Nu Bora granulated, giant pkg	.66		Cinnamon, 2 oz. gl.	.20
	Nu Bora granulated, lge. pkg	.25		Cloves, 2 oz. gl.	.15
	OK blue soap, cake (2 for 18¢)	.08		Curry powder, 2 oz. gl.	.14
	OK brown soap, cake	.07		Garlic salt, 3 oz. gl.	.16
	Oxydol, giant pkg	.85		Ginger, 2 oz. gl.	.20
	Oxydol, large pkg	.30		Mace, 2 oz. gl.	.27
	Oxydol, small pkg	.12		Mustard powder, 2 oz. gl.	.16
	Peets granulated, giant pkg	.66		Nutmeg, 2 oz. gl.	.15
	Peets granulated, 33 oz. pkg	.33		Onion salt, 3 oz. gl.	.16
	Peets granulated, 24 oz. pkg	.25		Paprika, 2 oz. gl.	.24
	P & G laundry soap, cake (3 for 16¢)	.06		Sage, 2½ oz. gl.	.24
	Rinso, large pkg	.29		Savor salt, 3 oz. gl.	.16
	Rinso, small pkg	.12		Tartar, cream of, 2½ oz. gl.	.28
	Supersuds, giant pkg	.81		Thyme, 2 oz. tin	.12
	Supersuds, large pkg	.28		Thyme, 1½ oz. gl.	.15
	White King (W. K.) gran. giant	.63		Grated cheese, Caruso, 1½ oz. tin	.17
	White King (W. K.) gran. fam., 29 oz.	.39		Mustard, Coleman's (dry), ¼ pt.	.31
	White King (W. K.) gran., lge., 23 oz.	.30	40.....	Cleansers and certain home supplies:	
	White King (W. K.) gran., small, 8 oz.	.14		Babbitt's cleanser, 13 oz.	.06
	White King (W. K.) laun. soap, cake (3 for 16¢)	.06		Bear brand bluing, 32 oz.	.20
36.....	Soap, toilet:			Bear brand bluing, 22 oz.	.17
	Camay, reg. cake	.09		Bear brand bluing, 16 oz.	.11
	Cashmere Bouquet, reg. cake	.10		Bear brand bluing, 10 oz.	.01
	Cashmere Bouquet, small cake (2 for 11¢)	.06		Blue, Magic or Robin, square	.24
	Ivory, lge. cake	.13		Park bluing, quart	.24
	Ivory, med. cake (3 for 23¢)	.08		Park bluing, 12 oz.	.10
	Ivory, guest cake	.06		Mrs. Stewart's bluing, 10 oz.	.17
	Lifebuoy, reg. cake (2 for 17¢)	.09		Sunnyscene liquid bluing, 1 pt.	.18
	Lifebuoy, guest or small cake	.05		Bon Ami, cake	.11
	Lux, cake (3 for 25¢)	.09		Bon Ami, powder, 12 oz. tin	.14
	Palmolive, large or bath cake (3 for 35¢)	.12		Clorox, ½ gal.	.30
	Palmolive, reg. cake (3 for 25¢)	.09		Clorox, 1 qt.	.17
	Peets mechanics soap, cake	.08		Clorox, 1 pt.	.10
	Swan soap, large cake	.13		Crystal White cleanser, 13 oz.	.05
	Swan soap, reg. cake (3 for 23¢)	.08		Lighthouse Cleanser, 13 oz.	.08
37.....	Soaps, canned:			Old Dutch Cleanser, can	.11
	Campbell's:			Pearline, 10 oz.	.05
	Chicken, 10½ oz. can	.20		Purex, 1 gal.	.54
	Mushroom, 10½ oz. can	.20		Purex, ½ gal.	.31
	Beef noodle, 10½ oz. can	.18		Purex, 1 qt.	.17
	Beef, 10½ oz. can	.18		Purex, 1 pt.	.09
	Bouillon, 10½ oz. can	.18		Sapolio, cake	.11
	Chicken gumbo, 10½ oz. can	.18		Locally manufactured chemical bleach, 5% or more chlorine, bulk:	
	Chicken noodle, 10½ oz. can	.18		1 gal.	.45
	Consmome, 10½ oz. can	.18		½ gal.	.25
	Consmome Madrilene, 10½ oz. can	.18		1 qt.	.08
	Asparagus, 10½ oz. can (2 for 29¢)	.15		1 pt.	.01
	Bean with bacon, 10½ oz. can (2 for 29¢)	.15			
	Black bean, 10½ oz. can (2 for 29¢)	.15			
	Green pea, 10½ oz. can (2 for 29¢)	.15			
	Mock turtle, 10½ oz. can (2 for 29¢)	.15			

TABLE A—DOLLARS AND CENTS MAXIMUM PRICES FOR CERTAIN GROCERY ITEMS IN THE TERRITORY OF HAWAII—Continued

Commodity classification No.	Grocery item	Maximum price per unit	Commodity classification No.	Grocery item	Maximum price per unit	
40.....	Cleansers—Continued. Starch Gloss, Elastic, 12 oz..... Starch Gloss, Kingsford, 1 lb..... Starch Gloss, Staley's, 1 lb. (2 for 35¢)..... Starch Gloss, Red, bulk, 1 lb..... Stryker's Cleanser, 9 oz. can..... Sunbrite Cleanser, 9 oz. can.....	\$0.10 .13 .11 .11 .10 .07	44.....	Vegetables, canned—Continued. Corn—Continued. Koekos, white, cream style, No. 2 can..... Niblets, 12 oz. can..... Niblets Mexicorn, No. 2 can..... Nile Valley, Golden bantam cream style, No. 2 can..... Queenia, Golden bantam cream style, No. 2 can..... Rosebowl white, cream style, No. 2 can..... S & W, baby kernel, No. 2 can..... S & W, Deloro bantam cream style, No. 2 can..... Stokeley, Golden bantam cream style, No. 2 can..... Sundstrand, No. 2 can..... Hominy, Burbank, 29 oz. gl.....	\$0.19 .16 .18 .21 .15 .20 .21 .18 .17 .21	
	Maximum price per unit			Pens:		
	Grocery item	Zone 1 on islands of Oahu, Maui, and Molokai	All other areas on islands of Oahu, Maui, Molokai, and Lanai	Zone 1 on islands of Kauai and Hawaii	All other areas on islands of Kauai and Hawaii	
41.....	Sugar: Granulated sugar, white— These prices for 100 lbs.— less than 100 lb., 25 lbs..... sizes apply whether bagged by producer or by retailer..... C & H powdered sugar, 1 lb.....	\$6.80 1.75 .70 .35 .14 .07				
42.....	Syrups, molasses and honey: Comb Honey, 4½" Sq.....	\$0.27	Oahu	45.....	Cal-Fine, No. 2½ can..... Exquisite, Solid Pack, No. 2½ can..... Fowler, No. 2½ can..... Great Value, No. 2½ can..... Likewell, No. 2½ can..... Premium Standard, No. 2½ can..... Rosedale, No. 2½ can..... Sea Rock, No. 2½ can..... Silverdale, No. 2½ can..... Stokeley, solid pack, No. 2½ can..... Town Talk, solid pack, No. 2½ can..... V. B., solid pack, No. 2½ can.....	\$17 .22 .17 .16 .17 .13 .19 .17 .17 .22 .20 .35 .32
	Ewa cane syrup, 24 oz. gl..... Brer Rabbit Molasses, gold label, 16 oz. gl..... Brer Rabbit Molasses, green label, 16 oz. gl..... Karo Syrup, blue label, 24 oz. gl..... Karo Syrup, red label, 24 oz. gl..... Log Cabin Syrup, 24 oz. gl..... Log Cabin Syrup, 16 oz. gl..... Log Cabin Syrup, 12 oz. gl..... Staley's Golden Syrup, 24 oz.....	.35 .30 .25 .21 .23 .47 .35 .25 .20	\$0.34	46.....	Matches, all brands, Carton of 10 boxes..... Book matches, all brands, 50 books..... Toothpicks, all brands, pkg. of 750.....	.10 .18 .05
43.....	Tea: Maxwell House, ½ lb..... Tenderleaf, ½ lb..... Tenderleaf, 20 tea balls..... Tenderleaf, 16 tea balls..... Tenderleaf, 8 tea balls..... Schilling's ½ lb.....	.33 .26 .25 .20 .10 .28		47.....	Coffee: Chase and Sanborn, 2 lbs..... Chase and Sanborn, 1 lb..... Folgers, 2 lbs..... Folgers, 1 lb..... Hill Bros., 2 lbs..... Hill Bros., 1 lb.....	.73 .38 .76 .38 .81 .42
44.....	Vegetables, canned: Beans: Del-Monte Early Garden lima beans, No. 303 gl..... DX pork and beans, No. 2½ can..... Gibbs pork and beans, No. 2½ can..... Golden Isle, No. 2 can..... Green Pearl, No. 2 can..... H-B sliced, No. 2..... Ritter beans with pork, No. 1 can (2 for 35¢)..... Sailor Man Soy, No. 2 can..... Whateom, No. 2 can.....	.24 .23 .23 .24 .23 .24 .12 .14 .18			Kona: Ka Moi, 1 lb..... Mayflower, 1 lb..... Splendid, 1 lb..... Wing, 1 lb..... Maxwell house, 1 lb..... MJB, 2 lb..... MJB, 1 lb..... S & W, 1 lb..... Sanka, 1 lb..... Schillings, 1 lb.....	\$0.36 .37 .32 .36 .42 .75 .39 .36 .47 .41
	All Gold, medium whole, No. 303 gl..... All Gold, medium whole, No. 2 can..... All Gold, diced, No. 303 gl..... All Gold, sliced, No. 2 can..... Del Monte, sliced, No. 303 gl..... Del Monte, diced, No. 303 gl..... Del Monte, medium, whole, No. 2 can..... Del Monte, medium, whole, No. 303 gl..... Del Monte, midgit, whole, No. 2 can..... Exquisite, diced, No. 2 can..... Exquisite, sliced, No. 2 can..... Jory, diced, No. 2 can..... Krasdale, cut, 16 oz. gl..... Stokeley, diced, No. 2 can..... Stokeley, sliced, No. 2 can.....	.19 .17 .15 .17 .19 .16 .18 .21 .20 .16 .16 .16 .16 .14 .14 .14 .14 .14 .14		48.....	Oils, cooking and salad: Olive Oil: Bendetto, 8 oz..... Lindsay, qt..... Lindsay, pt..... Lindsay, 8 oz..... Lindsay, 4 oz..... Challenge, qt..... Durkee Cottonseed oil, 1 gal..... Durkee Cottonseed oil, ½ gal..... Durkee Cottonseed oil, qt..... Durkee Cottonseed oil, pt..... Durkee Supreme (soy oil), gal..... Durkee Supreme (soy oil), ½ gal..... Durkee Supreme (soy oil), qt..... Fluffo, qt..... Fluffo, pt..... Jewel, gal..... Jewel, ½ gal..... Jewel, qt..... Jewel, pt..... Mazola, qt..... Mazola, pt..... Primrose, ½ gal..... Primrose, qt..... Sayola, gal..... Sayola, qt..... Wesson, gal..... Wesson, ½ gal..... Wesson, qt..... Wesson, pt.....	.66 2.03 1.08 .56 .29 .58 2.05 1.10 .62 .33 1.99 1.07 .59 1.07 2.05 1.10 \$.65 2.00 1.07 .60 .32 .75 .39 1.09 .61 1.88 .59 2.01 1.10 .62 .33
	All Gold, diced, No. 303 gl..... Del Monte, diced, No. 303 gl..... Exquisite, diced, No. 2 can..... Stokeley, diced, No. 2 can.....	.17 .17 .14 .14			Mau, Hawaii, Kauai	
	Carrots: Del Maiz, cream style, 17 oz. can..... (2 for 35¢)..... Del Monte, golden bantam cream style, No. 2 can (2 for 35¢)..... Del Monte, whole kernel golden, 12 oz. can (2 for 35¢)..... Exquisite, Golden bantam cream style, No. 2 can..... Grimes, Golden Bantam, No. 2 can..... Grimes, white, No. 2 can.....	.14 .18 .18 .17 .18 .17 .16				

TABLE A—DOLLARS AND CENTS MAXIMUM PRICES FOR CERTAIN GROCERY ITEMS IN THE TERRITORY OF HAWAII—Continued

Commodity classification No.	Grocery item	Maximum price per unit	Commodity classification No.	Grocery item	Maximum price per unit
49.....	Oleomargarine: Nucoa, 1 lb..... Troco, 1 lb.....	\$0.31 .31	50.....	Shortening and lard—Continued. Snowdrift, 1 lb..... Spry, 3 lbs..... Spry, 1 lb.....	\$0.30 .88 .31
50.....	Shortening and lard: Crisco, 3 lbs..... Crisco, 1 lb..... Snowdrift, 3 lbs.....	.88 .31 .87	51.....	Sea food, dried and shredded (see Table B). Candy, imported (see Table B). Miscellaneous grocery items (see Table B).	
			52.....		
			53.....		

TABLE B—CALCULATED MAXIMUM PRICES FOR CERTAIN GROCERY ITEMS IN THE TERRITORY OF HAWAII

(a) This Table B applies to all retailers of grocery items covered by this section located in the Territory of Hawaii. However, if a specific dollars and cents maximum price for any item is set forth in Table A of this section, the retailer may not compute his maximum price for that item under this Table B.

(b) "Commodity classification number", as used in this table, means the number assigned to the particular subdivision, con-

tained in paragraph (f) of this section, in which the grocery items listed are classified and defined.

(c) You shall compute your maximum price, under this table, by dividing your "net cost" as defined by paragraph (c) of this section, by the appropriate division factor set forth in this table. You may add to the prices so computed the transportation differentials, of 2% in Zone 2 and 3% in Zone 3, set forth in paragraph (e) of this section.

(d) *Division Factors.* (1) If you are a retailer whose store is located in the island of

Molokai or in Zone 3 of the Island of Maui, you shall use the division factors set forth in column numbered (3).

(2) If you are a retailer whose store is located in Zone 2 of the Island of Maui, you shall use the division factors set forth in column numbered (2).

(3) If you are a retailer located elsewhere in the Territory of Hawaii except the areas set forth in subparagraphs (1) and (2) above, you shall use the division factors set forth in column numbered (1).

Commodity classification No.	Grocery items	Division factor			Commodity classification No.	Grocery items	Division factor		
		Column 1	Column 2	Column 3			Column 1	Column 2	Column 3
1.....	Baby foods: (i) Packaged..... (ii) Tinned.....	\$0.80 .82	\$0.82 .84	\$0.83 .85	23.....	Milk products..... Nuts: (i) Salted, shelled, packaged peanuts..... (ii) Unsalted, shelled, packaged nuts..... (iii) Salted, shelled, packaged, nuts, (not peanuts)..... (iv) All others.....	\$0.80 .75 .70 .77	\$0.82 .77 .72 .77	\$0.83 .78 .73 .80
2.....	Beans and peas, dried, edible: (i) Bulk..... (ii) Packaged.....	.77 .79	.79 .81	.80 .82	24.....	Olives..... Paper products: (i) Toilet tissue..... (ii) Paper towels..... (iii) Paper napkins and picnic supplies..... (iv) Waxed paper.....	.75 .75	.77 .77	.78 .78
3.....	Beverage bases and concentrates.....	.75	.77	.78	25.....	Paste Products: (i) Bulk..... (ii) Packaged.....	.75	.77	.78
4.....	Bakers' supplies: (i) Baking soda..... (ii) All others.....	.82 .80	.84 .82	.85 .83	26.....	Pet foods and supplies..... Pickles and certain fruits and vegetables..... Popcorn, potato chips, and shoestring potatoes..... Preserves, jams, jellies and peanut butters.....	.80 .78 .77 .78	.82 .80 .79 .80	.83 .83 .80 .83
5.....	Cereals: (i) Ready-to-eat..... (ii) Cooking.....	.82 .80	.84 .82	.85 .83	27.....	Rice: (i) Bulk..... (ii) Packaged.....	.80 .82	.82 .84	.83 .85
6.....	Cocoa and chocolate.....	.80	.82	.83	28.....	Salt: (i) Bulk..... (ii) Packaged.....	.80 .82	.80 .82	.81 .83
7.....	Condiments and sauces: (i) Mustard, vinegar, soy, catsup, tomato sauce or paste, and miso sauce..... (ii) All others.....	.80 .75	.82 .77	.83 .78	29.....	Seafood, canned: (i) Salmon, sardines (not in olive oil), pil- chards, herring (not pickled), tuna, and mackerel..... (ii) Oysters, barracuda, codfish, codfish cakes, fish flakes, squid and all others not elsewhere specified..... (iii) Lobster, crab, shrimp, clam, shadroe, abalone, anchovies, caviar, pickled herring, and sardines in olive oil.....	.80 .84	.86 .86	.87 .87
8.....	Charcoal.....	.82	.84	.85	30.....	Soap, laundry: (i) Bulk..... (ii) Packaged.....	.80 .82	.82 .84	.83 .85
9.....	Corn starch and other edible starches.....	.80	.82	.83	31.....	Soap, toilet..... Soups, canned..... Soups, dehydrated..... Spices and extracts: (i) Pepper and vanilla extract..... (ii) All others.....	.80 .80 .80	.82 .82 .82	.83 .83 .83
10.....	Crackers, cookies, and specified cakes: (i) Crackers..... (ii) Cookies..... (iii) Plum puddings, pralines, fruit cakes and fibbits.....	.80 .78 .75	.82 .80	.83 .81	32.....	Cleansers and certain home supplies..... Sugar: (i) Local refined, white..... (ii) All others.....	.80 .82	.82 .84	.83 .85
11.....	Dessert powders.....	.80	.82	.83	33.....	Syrups, molasses, and honey..... Tee: (i) Bulk..... (ii) Packaged.....	.80 .82	.82 .84	.83 .85
12.....	Dessert preparations.....	.77	.79	.80	34.....	Vegetables, canned: (i) Peas, corn, tomatoes, and FSAC beans, in tin..... (ii) Peas, corn, tomatoes, and FSAC beans, in glass..... (iii) Asparagus, other beans, beets, carrots, potato, pumpkin, stew, spinach, and com- binations, in tin..... (iv) Asparagus, other beans, beets, carrots, potato, pumpkin, stew, spinach, and com- binations, in glass..... (v) All others, in tin..... (vi) All others, in glass.....	.75 .78	.77 .80	.78 .81
13.....	Flour, bakers and family.....	.84	.86	.87	35.....	Vegetables, dehydrated.....	.80 .82	.82 .84	.83 .85
14.....	Flour, prepared packaged (other than cake).....	.80	.82	.83	36.....				
15.....	Flour, prepared packaged, cake.....	.77	.79	.80	37.....				
16.....	Fruits and vegetables, quick-frozen.....	.75	.77	.78	38.....				
17.....	Fruits and berries, canned: (i) Peaches, pears, pineapples, fruit cocktails, in tin..... (ii) Peaches, pears, pineapples, fruit cocktails, in glass..... (iii) Apples, applesauce, apricots, Royal Anne (dark and light) cherries, citrus, and com- binations, in tin..... (iv) Apples, applesauce, apricots, Royal Anne (dark and light) cherries, citrus, and com- binations, in glass..... (v) All others, in tin..... (vi) All others, in glass.....	.83 .82 .82 .82 .79 .77	.85 .84 .85 .84 .82 .79	.86 .85 .85 .84 .82 .80	39.....				
18.....	Fruits, dried: (i) Bulk..... (ii) Packaged.....	.80 .82	.82 .84	.83 .85	40.....				
19.....	Juices, canned: (i) Tomato and pineapple..... (ii) Citrus..... (iii) All others.....	.82 .80 .78	.84 .82 .80	.85 .83 .81	41.....				
20.....	Mayonnaise, salad dressings, and sandwiches spreads.....	.80	.82	.83	42.....				
21.....	Chicken, turkey, and other poultry preparations.....	.77	.79	.80	43.....				
22.....	Meats, canned: (i) FSAC meats, luncheon meat, corned beef and corned beef hash, Vienna sausage, devilled and potted meat, and all meats packed in containers of over 2 pounds, if unopened, in tin..... (ii) FSAC meats, luncheon meat, corned beef and corned beef hash, Vienna sausage, devilled and potted meat and all meats packed in containers of over 2 pounds, if unopened, in glass..... (iii) All others, in tin..... (iv) All others, in glass.....	.84 .82 .82 .82	.86 .84 .84 .82	.87 .85 .85 .83	44.....				

TABLE B—CALCULATED MAXIMUM PRICES FOR CERTAIN GROCERY ITEMS IN THE TERRITORY OF HAWAII—Continued

Commodity classification No.	Grocery items	Division factor			Commodity classification No.	Grocery items	Division factor		
		Column 1	Column 2	Column 3			Column 1	Column 2	Column 3
46	Wooden products: (i) Toothpicks and matches.....	\$0.75	\$0.77	\$0.78	49	Oleomargarine.....	\$0.80	\$0.82	\$0.83
	(ii) Brooms, clothespins.....	.80	.82	.83	50	Shortening and lard.....	.84	.86	.87
47	Coffee.....	.84	.86	.87	51	Seafood, dried and shredded: (i) Bulk.....	.78	.80	.81
48	Oils, cooking and salad: (i) Olive oil.....	.80	.82	.83	52	(ii) Packaged.....	.80	.82	.83
	(ii) All others.....	.84	.86	.87	53	Candy, imported.....	.70	.72	.73
						Miscellaneous grocery items.....	.80	.82	.83

This amendment shall become effective as follows:

(a) As to grocery items for which specific dollars and cents maximum prices are established under Table A, as of September 11, 1944.

(b) As to grocery items for which calculated maximum prices are established under Table B, as of October 1, 1944.

NOTE: The reporting and record-keeping provisions of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 1st day of November 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-16787; Filed, Nov. 1, 1944;
11:58 a. m.]

PART 1400—TEXTILE FABRICS: COTTON, WOOL, SILK, SYNTHETICS AND ADMIXTURES

[MPR 127,¹ Amdt. 25]

FINISHED PIECE GOODS

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

Maximum Price Regulation No. 127 (Finished Piece Goods) is amended in the following respect:

In item (15) listed in § 1400.78a (a) the date November 1, 1944 is changed to January 1, 1945.

This amendment shall become effective October 31, 1944.

Issued this 31st day of October 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-16747; Filed, Oct. 31, 1944;
4:51 p. m.]

PART 1404—RATIONING OF FOOTWEAR

[RO 17,¹ Amdt. 83]

SHOES

A rationale accompanying this amendment, issued simultaneously herewith,

*Copies may be obtained from the Office of Price Administration.

¹ 9 F.R. 2464.

¹ 8 F.R. 15839, 16605, 16996; 9 F.R. 92, 573, 764, 2232, 2656, 2947, 2829, 3340, 3944, 4391, 5254, 5805, 6233, 6647, 6455, 7080, 7773, 8254, 8339, 8340, 8931, 8355, 9901, 10589, 10984, 10985, 11638, 11763, 12039, 12271, 12812.

No. 219—5

has been filed with the Division of the Federal Register.*

The definition of house slipper in section 3.13 is amended by deleting the following from the last sentence: "manufactured in the United States or imported after October 6, 1944" and substituting the following: "manufactured in the United States after December 31, 1944 or imported after that date."

This amendment shall become effective November 1, 1944.

Issued this 1st day of November 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-16789; Filed, Nov. 1, 1944;
11:56 a. m.]

This amendment shall become effective at 12:01 a. m., November 1, 1944.

Issued this 31st day of October 1944.

CHESTER BOWLES,
Administrator.

Approved: October 31, 1944.

GROVER B. HILL,
Acting War Food Administrator.

[F. R. Doc. 44-16745; Filed, Oct. 31, 1944;
4:50 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Rev. SR 14 to GMPR, Amdt. 185]

EMERGENCY OPEN YARD STORAGE OF COTTON
IN OKLAHOMA AND TEXAS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

1. A new paragraph (b) (8) is added to section 8.2 to read as follows:

(8) "Emergency open yard storage" in Oklahoma and Texas. (i) The maximum prices for "emergency open yard storage", including handling, drayage and other services incidental thereto, of cotton received prior to February 1, 1945, shall be the maximum prices established by § 1499.2 of the General Maximum Price Regulation and section 8.2 (b) (1) to (7), inclusive, of Revised Supplementary Regulation No. 14 for the storage and handling of cotton at the nearest enclosed facility plus an additional "emergency open yard storage" receiving charge of 60 cents per bale in Oklahoma and 25 cents per bale in Texas, *Provided*: That:

(a) The particular facility does not have available storage space within the warehouse building and is approved by the Commodity Credit Corporation in accordance with the terms of its "Agreement for storing cotton in open yards", Form 200-ADM-4.

(b) Each warehouseman furnishing "emergency open yard storage" shall maintain and make available for inspection by the Office of Price Administration with respect to each location at which "emergency open yard storage" is furnished a record of:

(1) The number of bales received and stored in "emergency open yard storage".

(2) Revenues derived or accrued from the additional "emergency open yard storage" receiving charge,

¹ 8 F.R. 16409, 16294, 16519, 16423, 17372; 9 F.R. 790, 902, 1581, 2008, 2023, 2091, 2493, 4030, 4086, 4088, 4434, 4786, 4787, 4877, 5926, 5929, 6104, 6108, 6420, 6711, 7259, 7268, 7434, 7425, 7580, 7583, 7759, 7774, 7834, 8148, 9066, 9090, 9289, 9356, 9509, 9512, 9549, 9785, 9896, 9897, 10192, 10499, 10877, 10878, 11350, 11534, 11546, 12038, 12208, 12340, 12341, 12263, 12412, 12587, 12643.

(3) Expenses for providing "emergency open yard storage."

(ii) *Definitions.* As used in this section, "emergency open yard storage" shall include the storage, handling, incidental drayage, and other services performed in Texas and Oklahoma in connection with the storage of cotton in newly established facilities not used for open yard storage during the 1943-44 cotton season, or in space converted to open yard storage since August 1, 1944. Incidental drayage includes the transportation of cotton from the "emergency open yard storage" facility to the enclosed warehouse facility. The warehouseman may continue to make such drayage charge for transportation from the warehouse to a rail terminal or depot as is permitted by the applicable price regulation issued by the Office of Price Administration. Where open yard storage was performed at a facility or a portion of a facility during the 1943-44 season, such storage is not subject to this section and the maximum price is that established by § 1499.2 of the General Maximum Price Regulation and section 8.2 (b) (1) to (7), inclusive, of Revised Supplementary Regulation No. 14.

(iii) *Receiving charge not subject to 1944-45 emergency surcharge.* The additional receiving charges for "emergency open yard storage" are not subject to the 17 percent surcharge established by section 8.2 (b) (6) of Revised Supplementary Regulation No. 14 (Amendment 166).

This amendment shall become effective October 31, 1944.

Issued this 31st day of October 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-16749; Filed, Oct. 31, 1944;
4:51 p. m.]

PART 1499—COMMODITIES AND SERVICES [RMPR 165, Supp. Service Reg. 40]

HAND LAUNDRIES IN EASTERN MASSACHUSETTS AREA

A statement of the considerations involved in the issuance of this Supplementary Service Regulation No. 40 has been filed with the Division of the Federal Register.* For the reasons set forth in that statement and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942 as amended, the Stabilization Act of 1942 as amended, and Executive Orders Nos. 9250 and 9328, Supplementary Service Regulation No. 40 is hereby issued.

§ 1499.2275 Hand laundries in the Eastern Massachusetts area—(a) Dollar and cents maximum prices established for hand laundry services sold by hand laundries in the Eastern Massachusetts area. (1) The maximum prices established by Revised Maximum Price Regulation No. 165 for hand laundry services sold by hand laundries in the Eastern Massachusetts area are hereby modified

*Copies may be obtained from the Office of Price Administration.

and henceforth shall be the prices set forth in Appendix A.

(2) *Definitions.* As used in this supplementary service regulation the term:

"Hand laundry" means a retail laundry establishment receiving and distributing laundry, generally finishing wearing apparel by hand ironing done on the premises, giving only limited, if any, delivery service, and employing 10 or less employees.

"Eastern Massachusetts area" shall include all the cities and towns located in the Counties of Barnstable, Bristol, Essex, Middlesex, Norfolk, Plymouth and Suffolk in the Commonwealth of Massachusetts.

"Shirts" as used in Appendix A means all shirts except the following: shirts made of silk, wool, rayon and other artificial fibers; gabardine shirts; full dress shirts. The prices of shirts included within the above exceptions shall be the prices for these items which were filed by the individual laundry with OPA. If no such prices have been filed, the maximum price for all shirts shall be the price established by Appendix A.

"Overall pants" as used in Appendix A means blue denim overall pants.

(3) *Posting requirements.* Within 30 days after the issuance of this supplementary service regulation, every hand laundry located in the Eastern Massachusetts area shall post on its premises in a place and manner so that it is plainly visible to the purchasing public, a placard or card setting forth the maximum prices established in Appendix A.

(4) *Elimination of individual adjustment.* On and after the effective date of this supplementary service regulation, the provisions of section 16 (a) of Revised Maximum Price Regulation No. 165 shall no longer be available to sellers covered by this regulation. On and after the effective date of this regulation, all surcharges and percentage surcharges made by hand laundries located in the Eastern Massachusetts area shall cease and all percentage adjustments granted by the Office of Price Administration to hand laundries in the Eastern Massachusetts area are hereby revoked.

(5) *Less than maximum prices.* Lower prices than those established by this regulation may be charged, demanded, paid or offered.

(6) *Other services supplied by hand laundries.* Laundry services not listed in Appendix A performed by hand laundries shall be governed by Revised Maximum Price Regulation No. 165.

(7) This Supplementary Service Regulation supersedes Supplementary Service Regulation No. 5 which is hereby revoked.

APPENDIX A

Laundry service:	Price
Shirts	\$0.16
Collars	.05
Undershirts	.10
Shorts	.10
Union Suits	.20
Socks	.05
Pajamas	.25
Trousers and Slacks	.35
Handkerchiefs	.03
Hand Towels	.04
Bath Towels	.05

APPENDIX A—Continued

Laundry service—Continued.	Price
Sheets	\$0.13
Pillow cases	.05
Nurses Uniforms	.45
Overalls	.30
Coveralls	.40
Overall pants	.25
Overall jackets	.25

This Supplementary Service Regulation shall become effective November 6, 1944.

Issued this 1st day of November 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-16784; Filed, Nov. 1, 1944;
11:55 a. m.]

Chapter XIII—Petroleum Administration for War

[Petroleum Dir. 72, Amdt. 1]

PART 1530—MARKETING ROAD OIL

DELIVERY AND USE OF ROAD OIL PROHIBITED

Section 1530.1 (Petroleum Directive 72, 8 F.R. 12571) is hereby amended by changing paragraph (d) thereof to read as follows:

(d) *Area of applicability.* This directive shall be applicable in the States of Washington, Oregon, California, Nevada and Arizona.

(E.O. 9276, 7 F.R. 10091; E.O. 9319, 8 F.R. 3687)

Issued this 1st day of November 1944.

RALPH K. DAVIES,
Deputy Petroleum,
Administrator for War.

[F. R. Doc. 44-16756; Filed, Nov. 1, 1944;
10:42 a. m.]

TITLE 49—TRANSPORTATION AND RAILROADS

Chapter I—Interstate Commerce Commission

[Rev. S. O. 245-A]

PART 95—CAR SERVICE

MOVEMENT OF COTTON INTO MEMPHIS, TENN., AND WEST MEMPHIS, ARK.

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 31st day of October, A. D. 1944.

Upon further consideration of Corrected Service Order No. 245 (9 F.R. 12597) of October 14, 1944, and good cause appearing therefor:

It is ordered, That:

(a) Corrected Service Order No. 245 (9 F.R. 12597) of October 14, 1944, prohibiting the movement of cotton into Memphis, Tennessee, and West Memphis, Arkansas, except under permits, be, and it is hereby, vacated and set aside. (40 Stat. 101, sec. 402; 41 Stat. 476, sec. 4; 54 Stat. 901; 49 U.S.C. 1 (10)-(17), 56 Stat. 176)

It is further ordered, That this order shall become effective at 12:01 a. m., November 1, 1944; that a copy of this order and direction shall be served upon

each State Commission; upon all tariff publishing agents for common motor carriers; upon all contract motor carriers serving Memphis, Tennessee, and West Memphis, Arkansas; and upon the Association of American Railroads, Car Service Division, as agent of all railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

By the Commission, Division 3.

[SEAL]

W. P. BARTEL,
Secretary.

[F. R. Doc. 44-16757; Filed, Nov. 1, 1944;
10:49 a. m.]

Chapter II—Office of Defense Transportation

[Administrative Order ODT 6B, Amdt. 1]

PART 503—ADMINISTRATION

ESTABLISHMENT OF REGIONS, DISTRICTS, AND FIELD OFFICES OF HIGHWAY TRANSPORT DEPARTMENT

Pursuant to Executive Orders 8989, as amended, and 9156,

It is hereby ordered, That Appendix 2 of Administrative Order ODT 6B (9 F.R. 12289) be, and it hereby is, amended by adding the words "Field office: Billings" after the words "Montana. District office: Butte" under the subtitle "Region 7" thereof.

This Amendment 1 to Administrative Order ODT 6B shall be retroactive to be effective as of October 15, 1944.

(E.O. 8989, as amended, 6 F.R. 6725, 8 F.R. 14183; E.O. 9156, 7 F.R. 3349)

Issued at Washington, D. C., this 31st day of October 1944.

J. M. JOHNSON,
Director,

Office of Defense Transportation.

[F. R. Doc. 44-16735; Filed, Oct. 31, 1944;
2:30 p. m.]

Notices

TREASURY DEPARTMENT.

Bureau of Internal Revenue.

RELIEF FROM EXCESS PROFITS TAX BECAUSE OF AN INADEQUATE EXCESS PROFITS CREDIT

ALLOWANCES DURING FISCAL YEAR ENDED

JULY 30, 1944

Subchapter E of Chapter 2 of the International Revenue Code imposes an excess profits tax on corporations for taxable years beginning after December 31, 1939. Under the provisions of this subchapter, excess profits are measured by comparing the earnings for the cur-

rent taxable year with a statutory excess profits credit.

Section 722 of Subchapter E reflects the recognition by Congress of the desirability and necessity of granting relief in meritorious cases to corporations which bear an excessive tax burden because of an inadequate excess profits credit. This section provides for the recomputation of excess profits tax on the basis of a reconstructed excess profits credit.

As required by section 722 (g) the following list, containing the cases arranged alphabetically by internal revenue districts, shows the name and address of each corporation to which relief has been allowed, business, taxable years involved, excess profits credit before allowance of relief, increase in excess profits credit claimed, increase in excess profits credit allowed, decrease in excess profits tax, and increase in income tax. No allowances under section 722 have been made by The Tax Court of the United States as of June 30, 1944.

In order to determine the relief granted and the relevant data required to be published, intermediate computations of the excess profits tax and the income tax showing the amounts of taxes which would have been due without the benefits of section 722 were made. Comparison of the pertinent items and figures appearing in the application for relief and the tax computations after the allowance of relief with those appearing in the intermediate tax computations developed the required data.

Explanations of certain of the items, as displayed in their respective column headings of the list, and the data evolved, follow:

Business in which engaged, column 2. The business in which taxpayer is engaged is that reported in the income tax return of the corporation for the taxable year or years involved, therefore, it does not necessarily correspond with the business during the base period. In those instances where the return for the year involved failed to disclose the nature of business, information from other sources was utilized. Moreover, since the nature of business shown usually represents a general description of the predominant business activity, it does not necessarily represent or reflect the business activity with respect to which an inadequate excess profits credit was established.

Excess profits credit before allowance of relief, column 4. The excess profits credit before allowance of relief is the credit originally claimed by the taxpayer, as corrected, whether based on income or capital.

Increase in the amount of excess profits credit claimed by taxpayer, column 5. The increase in the amount of excess profits credit claimed by taxpayer is the excess of the credit based on the constructive income claimed by the taxpayer over the credit before allowance of relief shown in column 4.

Increase in the amount of excess profits credit allowed, Column 6. The increase

in the amount of excess profits credit allowed is the excess of the recomputed credit based on constructive income finally allowed over the credit before allowance of relief shown in column 4.

Gross reduction in the excess profits tax, column 7; gross increase in the income tax, column 8. The gross reduction in the excess profits tax and the gross increase in the income tax resulting from the operation of section 722 are the differences between the gross taxes which would have been due without the benefits of section 722 and the gross taxes due after relief had been granted. The gross excess profits tax is the tax due prior to the deferment under section 710 (a) (5), the foreign tax credit under section 729, the credit for debt retirement under section 783, and the adjustment under section 734. The gross income tax is the tax due prior to the foreign tax credit under section 131.

The changes in the income and excess profits taxes shown reflect the effect of the increases attributable to section 722 in the unused excess profits credit carried forward from prior taxable years as well as the effect of the increase in unused excess profits credit carried back from subsequent taxable years to the extent that claims with respect to carry-backs and with respect to section 722 were allowed within the same fiscal year.

While the decrease in excess profits tax is directly related to the increase in excess profits credit allowed, a number of factors serve to invalidate a comparison of the relationship of these two items applicable to a corporation for different taxable years or to different corporations for the same taxable year. Among the most important factors affecting this comparison are (1) increase in excess profits tax rates, (2) changes in rate structure from a graduated to a flat rate system, (3) effect of unused excess profits credits of prior and subsequent years attributable to section 722, (4) variation of provisions applicable to fiscal years, (5) limitation of excess profits tax to the amount by which 80 per cent of net income exceeds the income tax, applicable to certain taxable years, and (6) relation of excess profits before the application of section 722 to the increase in excess profits credit allowed.

For taxable years beginning after December 31, 1940, a portion of the amount by which the excess profits tax is reduced by reason of the application of section 722 is offset by an increase in income tax. This offset arises from the provisions which permit the deduction of the income subject to excess profits tax (or excess profits tax in certain taxable years) in arriving at income subject to income tax.

Lists containing the cases in which relief has been allowed during the fiscal years ended June 30, 1942 and June 30, 1943, have been published in the FEDERAL REGISTER, Volume 9, Number 194, dated September 28, 1944.

Internal

FEDERAL REGISTER, Thursday, November 2, 1944

EXCESS PROFITS TAX RELIEF GRANTED UNDER SECTION 722 OF THE INTERNAL REVENUE CODE BY THE COMMISSIONER OF INTERNAL REVENUE

FISCAL YEAR ENDED JUNE 30, 1944

Name and address of taxpayer (arranged by internal revenue districts in which excess profits tax returns were filed)	Business in which engaged	Taxable year ended	Excess profits credit before allowance of relief	Increase in the amount of excess profits credit claimed by taxpayer	Increase in the amount of excess profits credit allowed	Gross reduction in the excess profits (subchapter E) tax resulting from the operation of sec. 722	Gross increase in the income (chapter 1) tax resulting from the operation of sec. 722
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)
<i>Alabama</i>							
Gulf Furniture Stores, Incorporated, 319 Dauphin Street, Mobile, Alabama.	Installment furniture.....	4-30-1942	\$13,690.06	\$10,448.87	\$3,514.49	\$2,914.04	\$1,282.17
Shook and Fletcher Supply Company, 1814 First Avenue, North, Birmingham, Alabama.	Ore mines, machinery, mine supplies, air conditioning, etc.	12-31-1940 12-31-1941	71,468.62 79,418.06	44,528.19 36,578.75	27,083.50 37,767.45	223.14 4,590.16	None 1,422.95
<i>Arkansas</i>							
Reynolds-Gammill Lumber Company, Inc., El Dorado, Arkansas.	Lumber manufacturing.....	1-31-1941 1-31-1942	19,027.18 17,901.80	38,198.83 39,324.21	1,850.30 6,500.19	462.57 2,929.14	None 907.70
<i>Sixth District of California</i>							
Alberts Hotel Corporation, 111 West Fifth Street, Los Angeles, California.	Operating leased hotels.....	3-31-1943	5,870.39	40,279.95	11,278.02	6,587.73	3,098.03
Atlas Galvanizing, Incorporated, 2639 Leonis Boulevard, Los Angeles, California.	Galvanizing.....	12-31-1942	1,485.24	18,654.76	7,710.79	10,826.59	3,247.98
Continental Corporation, 1033 South Broadway, Los Angeles, California.	Developing and operating oil properties.....	12-31-1943 12-31-1940	3,048.16 48.74	17,091.84 57,157.95	6,147.87 48,563.04	6,323.93 6,926.06	1,897.78 None
Drilling and Exploration Company, Inc., Station H, Box 2, Los Angeles, California.	Oil drilling contractor, acquisition and development of oil leases.....	12-31-1940	125,116.06	213,795.02	132,665.48	32,828.92	None
Louis Tabak, Incorporated, 860 South Los Angeles Street, Los Angeles, California.	Womens sportswear manufacturing.....	10-31-1941	130,682.65 4,160.83	212,492.46 None	174,356.63 None	88,948.88 247.36	25,850.85 None
Technical Enameling and Plating Company, 1726 Standard Avenue, Glendale, California.	Enameling and plating.....	1-7-1941 to 11-30-1941	207.11	6,442.89	3,112.94	985.61	219.43
<i>Colorado</i>							
Albert-Ross Refrigerator and Fixture Company, 1425 Market Street, Denver, Colorado.	Manufacturers and jobbers of fixtures.....	12-31-1940	31,786.48	7,242.14	3,900.68	997.68	None
A. G. Clarke Drug Company, 17th and Stout, Denver, Colorado.	Retail drug store.....	12-31-1942	1,460.93	3,289.07	218.36	106.53	58.96
Clay and Bailey-Denver Company, Colorado Boulevard and Model Road, Denver, Colorado.	Wholesale distributor of plumbing supplies.....	12-31-1940 12-31-1941	1,808.15 2,733.10	9,243.22 9,976.09	4,301.93 4,390.98	1,225.48 2,352.24	None 541.01
Denver News Company, 2120 Market Street, Denver, Colorado.	Wholesale newsstand and restaurant.....	12-31-1941	7,894.46	6,195.90	1,063.64	372.28	120.13
The Denver Tent and Awning Company, 1647 Arapahoe Street, Denver, Colorado.	Wholesale and retail canvas goods.....	12-31-1942 12-31-1941	7,894.47 3,005.14	6,195.89 4,550.16	1,063.63 1,503.50	937.27 536.94	719.86 123.35
The Fashion Bar, Incorporated, 1648 Arapahoe Street, Denver, Colorado.	Retail ladies ready to wear apparel.....	1-31-1943	3,663.63	5,208.32	845.01	859.27	257.78
				4,994.80	11,653.93	1,907.27	5,149.63
<i>Connecticut</i>							
A. C. Petersen, Incorporated, 246 Park Road, West Hartford, Connecticut.	Dairy.....	12-31-1942	11,310.68	5,577.18	3,177.18	2,859.46	\$57.84
<i>Delaware</i>							
Actic Roofings, Incorporated, Edge Moor, Delaware.	Manufacturers of asphalt roofings.....	12-31-1940	17,198.97	27,625.83	18,165.27	3,111.44	None
Walt Poirier Company, 1207 Union Street, Wilmington, Delaware.	Resturants.....	12-31-1941	480.56	9,690.42	1,620.75	775.35	178.33
		12-31-1942	1,002.34	9,168.64	1,098.97	989.07	296.72
<i>Florida</i>							
Aetna Iron and Steel Company, 2340 Market Street, Jacksonville, Florida.	Steel sales and construction.....	12-31-1940	11,541.77	17,700.76	2,606.36	651.59	None
		12-31-1941	13,125.54	16,116.99	3,208.01	1,604.00	497.24
The Aetna Steel Construction Company, 2144 Market Street, Jacksonville, Florida.	Steel erection.....	12-31-1942	14,377.89	14,864.64	3,713.81	3,342.43	1,064.56
Bowling Center of Jacksonville, Inc., Jacksonville, Florida.	Amusement, bowling.....	12-31-1941 1-1-1942	322.56 1,151.83	9,553.01 8,723.74	4,748.66 5,187.20	3,051.01 4,668.48	704.03 1,477.09
Carney Groves, Incorporated, c/o Ocala Manufacturing Ice and Packing Co., Ocala, Florida.	Citrus growers.....	4-30-1942 4-1-1942 to 12-31-1942	6,914.81	3,405.27	275.63	913.56	274.07
General Linen Supply Company, Incorporated, 411 East Bay Street, Jacksonville, Florida.	Linen towel supply.....	12-31-1942	2,181.25	11,331.72	3,359.01	3,023.11	906.94
Herman Sausage Factory, Incorporated, Tampa, Florida.	Abattoir and sausage manufacturing.....	10-31-1941	32,246.35	20,946.16	20,946.16	5,372.35	None
Moore Dry Kiln Company, Jacksonville, Florida.....	Dry kiln manufacturers.....	12-31-1941	67,626.98	4,446.39	3,895.44	1,947.72	603.80
<i>Georgia</i>							
Gordon Foods, Incorporated, 1075 Sylvan Road, Atlanta, Georgia.	Food products.....	12-31-1940 12-31-1941	5,508.25 6,027.67	69,132.92 68,613.50	28,161.23 36,447.11	4,178.69 10,394.60	None 4,430.28
Middle Georgia Bottling Company, 522 Second Street, Macon, Georgia.	Manufacturers of carbonated beverages.....	12-31-1942 12-31-1942	7,300.59 1,600.00	101,079.42 18,798.12	35,174.19 4,688.62	36,884.85 2,779.76	20,387.76 833.93
Thompson-Weinman and Company, Inc., Cartersville, Georgia.	Mining and grinding limestone, marble, talc and barytes fillers.....	12-31-1940	153,972.46	None	None	6,106.35	None
<i>Idaho</i>							
Idaho Potato Starch Company, Blackfoot, Idaho.	Manufacturers of potato starch.....	12-31-1942	3,101.37	40,038.14	15,030.59	18,951.82	7,563.50
Montana and Idaho Lumber Company, Rexburg, Idaho.	Logging, sawmill, retail lumber.....	12-31-1940	4,508.53	13,439.87	1,898.31	626.97	None
Radio Service Corporation, Yellowstone Highway, Pocatello, Idaho.	Radio broadcasting.....	12-31-1942	4,013.54	5,326.44	1,783.53	1,605.17	481.56
Triumph Mining Company, Triumph, Idaho.....	Metal and mining.....	3-15-1940 7-31-1940 7-31-1941	15,509.60	126,282.25	122,810.98	10,227.59	None
		12-31-1941	21,080.05	120,711.80	117,240.53	22,986.67	None
<i>First District of Illinois</i>							
Columbia Envelope Company, 345 West Hubbard Street, Chicago, Illinois.	Manufacture paper envelopes.....	12-31-1941	6,287.96	35,594.29	18,659.26	7,929.02	3,330.89
Grant Advertising, Incorporated, 919 North Michigan Avenue, Chicago, Illinois.	Advertising counselors.....	12-31-1942	3,495.85	38,386.40	21,451.37	18,094.09	7,537.67
Hindu Incense Manufacturing Company, 3207 South Shields Avenue, Chicago, Illinois.	Manufacturers of chemical and allied products.....	12-31-1940 12-31-1941 12-31-1942	2,009.99 3,755.65 18,890.19	20,849.18 19,703.52 9,300.74	39,750.55 49,018.62 4,220.68	10,998.24 20,161.48 3,804.01	None 6,250.07 650.91

See footnotes at end of table.

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EXCESS PROFITS TAX RELIEF GRANTED UNDER SECTION 722 OF THE INTERNAL REVENUE CODE BY THE COMMISSIONER OF INTERNAL REVENUE—Continued

FISCAL YEAR ENDED JUNE 30, 1944—Continued

Name and address of taxpayer (arranged by internal revenue districts in which excess profits tax returns were filed)	Business in which engaged	Taxable year ended	Excess profits credit before allowance of relief	Increase in the amount of excess profits credit claimed by taxpayer	Increase in the amount of excess profits credit allowed	Gross reduction in the excess profits (subchapter E) tax resulting from the operation of sec. 722	Gross increase in the income (chapter 1) tax resulting from the operation of sec. 722
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)
<i>First District of Illinois—Continued</i>							
Hub Furniture Company, 5853 South Halsted Street, Chicago, Illinois.	Retail furniture stores.....	12-31-1941	\$6,500.89	\$3,135.16	\$1,514.26	\$803.99	\$184.91
Hub Vacuum Stores, Incorporated, 11 W. Jackson Boulevard, Chicago, Illinois.	Retail vacuum cleaners.....	12-31-1941	15,088.11	21,547.18	10,439.97	3,653.77	1,607.66
The jitney Cab Company, Evanston, Illinois.....	Operating taxicabs.....	12-31-1941	2,064.03	24,047.41	3,177.12	1,111.99	255.75
Mills and Sons, 7610 Grand Avenue, Chicago, Illinois.	Real estate.....	12-31-1940	3,989.47	7,142.77	1,026.45	2,859.40	857.83
Supplies, Incorporated, 25 S. Desplaines Street, Chicago, Illinois.	Wholesale hardware and industrial supplies.....	12-31-1941	5,128.41	6,989.80	1,056.69	388.08	97.02
		12-31-1942	6,591.48	8,564.37	1,454.72	581.88	256.02
			7,370.48	8,793.37	1,454.72	1,309.24	392.77
<i>Eighth District of Illinois</i>							
Alton Finance and Thrift Company, 218 E. Broadway, Alton, Illinois.	Personal loans.....	12-31-1941	18,741.35	3,478.50	3,171.42	437.05	102.31
Illinois Cereal Mills, Incorporated, Paris, Illinois.....	Millers of corn.....	9-30-1941	24,306.10	130,084.57	38,982.92	4,964.63	None
Keeley Brothers Contracting Company, 4211 State Street, East St. Louis, Illinois.	Builders and contractors.....	12-31-1941	8,866.17	17,183.91	14,061.69	1,882.44	593.99
		12-31-1942	10,357.80	15,692.28	12,570.06	27,865.48	18,961.37
<i>Indiana</i>							
Fort Wayne Wire Die, Incorporated, Fort Wayne, Indiana.	Manufacturing wire dies.....	3-31-1941	2,716.40	16,835.25	4,747.79	1,239.97	None
The Hays Corporation, 742 East Eighth Street, Michigan City, Indiana.	Manufacturers of combustion control instruments.....	3-31-1942	6,917.67	12,633.98	4,771.44	1,735.57	764.09
Mechanic's Laundry and Supply Company, Inc., 727 E. Vermont Street, Indianapolis, Indiana.	Supplying and laundering uniforms, wipers, rags, etc.	3-31-1943	9,530.03	10,021.62	1,373.33	1,774.12	532.25
		12-31-1942	11,908.10	29,916.01	7,430.83	10,236.17	3,440.19
<i>Iowa</i>							
Iowa Broadcasting Company, 715 Locust Street, Des Moines, Iowa.	Radio broadcasting.....	12-31-1940	77,650.52	62,145.97	17,317.16	6,082.00	None
Sat-T-Pop Corporation, 106-120 Main Street, Dubuque, Iowa.	12-31-1941	92,926.36	77,584.29	47,549.35	22,774.68	7,370.15	
Taylor's, Incorporated, 700 Walnut Street, Des Moines, Iowa.	12-31-1942	99,102.57	71,408.08	47,604.74	42,844.27	19,041.90	
The Uchtorff Company, Incorporated, 201-11 North Howell Street, Davenport, Iowa.	Manufacturing and leasing candy machinery.....	1-31-1943	6,357.07	20,039.48	4,046.72	1,569.40	None
	Ladies ready to wear apparel.....	1-31-1942	7,452.40	27,944.15	2,951.39	1,928.67	848.62
<i>Kentucky</i>							
American Air Filter Company, Incorporated, Louisville, Kentucky.	Iron and steel products.....	12-31-1940	8,226.95	15,382.92	11,552.31	1,582.43	None
Byck Brothers and Company, 532 South Fourth Street, Louisville, Kentucky.	12-31-1941	10,077.60	13,532.27	13,532.27	6,766.13	2,097.50	
Keeneland Race Course, Lexington, Kentucky.....	12-31-1942	10,077.60	13,532.27	13,532.27	4,692.28	4,692.28	
Maloney-Davidson Company, 122 East Main Street, Louisville, Kentucky.	Wholesale liquor dealers.....	12-31-1940	129.44	4,870.09	7,972.00	420.46	None
J. V. Reed and Company, 1102 West Main Street, Louisville, Kentucky.	12-31-1941	627.53	9,358.84	7,473.91	793.62	182.53	
	12-31-1942	1,152.55	9,013.82	6,948.89	6,338.19	1,901.46	
<i>Louisiana</i>							
Bienville Furniture and Manufacturing Co., 743 South Front Street, New Orleans, Louisiana.	Furniture manufacturers.....	7-1-1941	11,181.49	4,644.06	2,921.04	1,072.38	332.43
Logansport Lumber Company, 801 Ardis Building, Shreveport, Louisiana.	Manufacture of lumber.....	5-31-1942	9,163.34	571.54	404.45	123.61	None
<i>Maryland</i>							
Ellicott Machine Corporation, Baltimore, Maryland.	Manufacturers of hydraulic pumps and dredges.....	12-31-1942	54,865.44	78,986.10	79,271.06	76,435.23	33,971.21
Erlebacher, Incorporated, 1210 F Street, N. W., Washington, D. C.	Ladies ready to wear clothing.....	7-31-1941	10,358.33	9,483.57	3,106.47	776.62	None
H. B. K. Hotel Company, c/o New Colonial Hotel, 15th and M Streets, N. W., Washington, D. C.	7-31-1942	11,648.42	8,193.48	4,627.34	1,835.73	758.20	
W. Charles Heitmueller Company, Incorporated, Washington, D. C.	12-31-1941	None	6,830.12	2,914.66	1,627.07	374.23	
Hudson Air Conditioning Corporation, 1727 Pennsylvania Avenue N. W., Washington, D. C.	Wholesale commission merchants.....	12-31-1942	4,482.99	11,030.61	9,174.87	5,659.38	1,697.83
Potomac Electrotypes Company, Inc., 1508 Eckington Place N. E., Washington, D. C.	Air conditioning and heating equipment.....	12-31-1942	3,326.97	25,791.08	1,839.30	15.81	474.84
	Manufacture type for printing industry.....	12-31-1941	3,380.66	21,387.51	6,404.34	2,911.05	669.55
	12-31-1942	3,597.43	21,170.74	6,187.57	5,568.76	1,670.63	
<i>Massachusetts</i>							
Byfield Felting Company, 217 Jackson Street, Lowell, Massachusetts.	Manufacturers of hair and and wool sheet felt and wheels.....	12-31-1942	4,343.94	18,108.54	18,108.54	16,635.18	5,728.21
Eaton Products of Massachusetts, Inc., Boston, Massachusetts.	Manufacture and sale of automobile parts.....	12-31-1940	3,229.11	13,299.34	10,932.77	2,093.00	None
Lawrence Manufacturing Company, Suffolk Street, Lowell, Massachusetts.	12-31-1941	5,109.43	11,784.13	11,392.56	4,902.76	1,479.14	
Normandy Print Works, Rodney French Boulevard, New Bedford, Massachusetts.	12-31-1942	7,670.47	11,208.36	10,849.25	10,308.00	3,162.80	
Seaboard Construction Company, 201 Marginal Street, Chelsea, Massachusetts.	Manufacture of cotton fabric.....	4-30-1942	17,377.72	77,791.92	31,721.33	17,636.01	5,467.16
	6-30-1943	22,040.17	75,982.63	27,058.88	29,327.12	15,931.68	
	12-31-1941	1,281.74	11,552.37	6,481.30	1,225.30	None	
	12-31-1942	3,726.37	16,049.34	4,536.81	1,483.15	None	
	12-31-1941	3,745.24	16,080.47	6,240.21	2,672.13	662.02	
	12-31-1942	5,191.87	16,416.40	4,793.58	5,579.92	1,673.99	

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EXCESS PROFITS TAX RELIEF GRANTED UNDER SECTION 722 OF THE INTERNAL REVENUE CODE BY THE COMMISSIONER OF INTERNAL REVENUE—Continued

FISCAL YEAR ENDED JUNE 30, 1944—Continued

Name and address of taxpayer (arranged by internal revenue districts in which excess profits tax returns were filed)	Business in which engaged	Taxable year ended	Excess profits credit before allowance of relief	Increase in the amount of excess profits credit claimed by taxpayer	Increase in the amount of excess profits credit allowed	Gross reduction in the excess profits (subchapter E) tax resulting from the operation of sec. 722	Gross increase in the income (chapter 1) tax resulting from the operation of sec. 722
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)
Massachusetts—Continued							
Albert A. Schneider, Incorporated, 222 Summer Street, Boston, Massachusetts.	Wool brokers.....	12-31-1941	\$30.00	\$3,376.10	\$3,376.10	\$700.55	\$150.82
Textile Aniline and Chemical Company, 49 Blanchard Street, Lawrence, Massachusetts.	Dealer in dyestuffs.....	12-31-1941	160.92	13,374.83	13,736.17	3,378.00	776.94
		12-31-1942	1,119.92	12,415.83	12,777.17	660.67	178.38
Michigan							
American Auto-Felt Corporation, 617 Crosby Street N. W., Grand Rapids, Michigan.	Textile manufacturer.....	12-31-1942	26,270.41	54,844.49	18,063.12	16,704.83	9,890.28
Auto Glass Manufacturing Company, 4461 West Jefferson Street, Detroit, Mich.	Manufacturing safety glass.....	12-31-1940	3,550.17	27,577.74	4,206.69	1,066.68	None
Auto Glass Manufacturing Company, 635 Mt. Elliot Avenue, Detroit, Michigan.	Manufacturing safety glass.....	12-31-1941	4,241.91	33,880.41	4,900.68	2,041.62	898.30
Bay Refining Corporation, 212 Bearinger Building, Saginaw, Michigan.	Crude oil refinery.....	12-31-1942	5,359.51	32,762.81	3,873.08	3,605.22	1,081.57
Elbro Corporation, 807 Hammond Building, Detroit, Michigan.	Real estate.....	9-30-1941	82,504.96	41,211.13	7,201.07	2,520.38	None
Giant Bear Markets, Incorporated, 5300 St. Jean, Detroit, Michigan.	Retail chain of super markets.....	9-30-1942	101,377.73	22,338.36	8,855.37	5,320.50	1,919.43
Guaranty Title and Mortgage Company, 405 Citizens Bank Building, Flint, Michigan.	Abstract and insurance.....	12-31-1942	1,457.21	4,242.79	1,252.79	1,372.03	411.61
Lee Paper Company, Vicksburg, Michigan.....	Manufacture of paper.....	12-31-1940	9,246.48	17,461.53	10,119.16	9,107.25	2,819.48
Lester Tool and Engineering Company, 8690 Grinnell Avenue, Detroit, Michigan.	Tool designing and engineering.....	12-31-1941	12,952.43	2,105.34	994.85	865.37	540.37
Micromatic Home Corporation, 8100 Schoolcraft Avenue, Detroit, Michigan.	Manufacture metal working machinery including machine tools.....	12-31-1940	65,620.26	24,484.73	12,594.93	413.12	None
Multi Color Company, 629 Woodward Avenue, Detroit, Michigan.	Producing blueprints and photostats.....	12-31-1941	80,307.14	28,493.42	13,680.47	6,840.24	2,120.47
Porter-Hadley Company, Grand Rapids, Michigan.....	Wholesale lumber millwork.....	12-31-1942	3,388.15	28,866.30	None	3,771.04	1,109.11
Press Jewelry Company, 13737 Woodward Avenue, Detroit, Michigan.	Manufacturers of ice cream and distributors of frosted foods.....	12-31-1940	66,122.33	15,263.03	15,263.03	6,105.21	None
Quaker Dairies, Incorporated, 500 Madison Avenue, Detroit, Michigan.	12-31-1941	77,810.82	16,245.10	16,245.10	9,747.06	3,022.06	507.82
River Raisin Paper Company, 1109 E. Elm Avenue, Monroe, Michigan.	Manufacture and sale of corrugated and solid fibre shipping containers and other paper products.....	12-31-1941	2,814.65	12,914.18	2,885.35	1,154.14	None
Simplex Paper Corporation, Treat Road, Adrian, Michigan.	Manufacture and processing of paper.....	12-31-1940	14,358.69	11,412.49	1,986.83	219.32	None
Thorrez and Maes Manufacturing Company, 1600 Wildwood Avenue, Jackson, Michigan.	12-31-1941	16,699.67	10,111.62	3,747.52	1,311.63	347.66	None
Transmission and Gear Company, 10421 Haggerty Avenue, Dearborn, Michigan.	Manufacture of screw machine products.....	12-31-1942	5,722.02	18,027.98	7,212.42	3,194.46	798.62
Two Legs, Incorporated, 314 East Michigan Avenue, Kalamazoo, Michigan.	12-31-1943	1,151.69	2,458.31	1,035.63	988.02	296.40	None
Washington Agency Incorporated, 1610 Industrial Bank Building, Detroit, Michigan.	Manufacturers of labels and seals.....	12-31-1940	80.00	28,380.47	28,380.47	9,850.90	3,832.10
Wheeler-Van Label Company, 13 McConnell Street S. W., Grand Rapids, Michigan.	12-31-1941	1,216.58	27,243.89	27,243.89	1,960.64	590.89	None
Minnesota							
V. A. Boker and Sons, Incorporated, 3104 Snelling Avenue, Minneapolis, Minnesota.	Manufacture of sash and doors.....	6-30-1941	102,498.32	48,919.23	3,675.42	2,021.48	626.65
Carr-Cullen Company, 1030 Marshall Street N.E., Minneapolis, Minnesota.	6-30-1941	16,095.97	61,063.72	30,527.64	18,266.18	None	None
Mueller Can and Tube Company, 293 Como Avenue, St. Paul, Minnesota.	Manufacturers of fibre cans and tubes.....	12-31-1940	2,000.00	9,906.29	None	162.26	None
Eleanor Realty Company, 404-911 Locust Street, St. Louis, Missouri.	12-31-1941	1,986.63	11,775.05	7,036.43	2,897.33	666.38	None
Hyde Park Distributors, Incorporated, 45 East Lockwood Avenue, Websters Grove, Missouri.	12-31-1942	2,863.32	11,494.25	6,159.74	6,437.77	1,931.33	None
American Power Piping Corporation, 319 North Fourth Street, St. Louis, Missouri.	Heating and power pipes.....	12-31-1941	9,626.98	5,476.38	5,357.83	3,750.49	1,630.34
Central States Paper and Bag Company, 2600 North Broadway, St. Louis, Missouri.	12-31-1942	11,771.86	5,476.58	5,357.83	4,822.05	1,489.20	None
Daniel Hamm Drayage Company, 1409 Howard Street, St. Louis, Missouri.	Specialty manufacturers and paper jobbers.....	12-31-1941	16,237.79	9,022.95	4,947.78	3,958.22	1,227.05
Eleanor Realty Company, 404-911 Locust Street, St. Louis, Missouri.	Contract carrier.....	12-31-1942	20,157.42	6,097.31	4,995.96	4,495.56	2,647.38
Leather products and manufacturers of ladies bags.	12-31-1941	21,280.81	16,926.68	12,133.80	1,199.43	371.82	None
Manufacturers of ladies undergarments.	12-31-1942	21,280.81	16,926.58	1,213.80	1,092.42	240.32	None
Real estate rental.....	4-30-1941	1,065.01	18,522.49	9,479.51	1,505.51	358.44	82.45
Wholesale beer distributors.....	4-30-1942	9,189.94	10,397.56	3,994.91	998.72	316.63	718.15
to	4-30-1943	8,898.36	40,689.14	4,250.45	7,809.47	2,342.84	991.25
Leather products and manufacturers of ladies bags.	4-30-1942	160.00	27,413.75	9,340.00	3,568.52	None	None
Manufacturers of ladies undergarments.	4-30-1943	2,649.51	30,833.25	11,447.82	2,264.40	None	None
Manufacturers of ladies undergarments.	4-30-1942	2,617.57	34,363.43	13,446.00	5,341.32	2,350.19	None
to	12-31-1940	8,224.71	9,420.43	4,022.55	909.89	None	None
Manufacturers of ladies undergarments.	12-31-1941	9,393.00	11,941.43	4,775.78	1,671.52	417.88	None
to	12-31-1942	10,536.81	10,797.62	3,631.97	2,941.91	980.64	None
1st District of Missouri							
American Power Piping Corporation, 319 North Fourth Street, St. Louis, Missouri.	Manufacturers of asphalt products.....	12-31-1941	96,533.19	48,838.09	33,090.56	16,545.28	5,128.04
Central West Utility Company, 602 Finance Building, Kansas City, Missouri.	Public utility, gas.....	9-30-1941	20,224.06	12,043.74	11,428.95	1,858.64	None
Eaton Products Company of Missouri, Inc., 2550 McGee Trafficway, Kansas City, Missouri.	Manufacture, merchandising, servicing, automobile parts.	8-3-1940	2,114.64	4,845.15	1,262.23	213.29	None
President Shirt Shops, Incorporated, 3101 Troost Avenue, Kansas City, Missouri.	Retail mercantile.....	12-31-1940	2,375.96	7,395.04	11,710.59	4,335.00	1,077.58
		12-31-1942	4,122.68	18,653.09	10,483.52	9,756.62	2,920.99
		1-1-1943	3,165.00	2,125.93	1,616.94	358.83	99.68
		6-23-1943					

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EXCESS PROFITS TAX RELIEF GRANTED UNDER SECTION 722 OF THE INTERNAL REVENUE CODE BY THE COMMISSIONER OF INTERNAL REVENUE—Continued
FISCAL YEAR ENDED JUNE 30, 1944—Continued

Name and address of taxpayer (arranged by internal revenue districts in which excess profits tax returns were filed)	Business in which engaged	Taxable year ended	Excess profits credit before allowance of relief	Increase in the amount of excess profits credit claimed by taxpayer	Increase in the amount of excess profits credit allowed	Gross reduction in the excess profits (subchapter E) tax resulting from the operating of sec. 722	Gross increase in the income (chapter 1) tax resulting from the operation of sec. 722
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)
6th District of Missouri—Continued							
Ross Machine Works, Incorporated, 110 Union Station Building, Kansas City, Missouri.	Grinding and corrugating flour mill rolls.	12-31-1942	\$2,795.95	\$518.50	\$518.50	\$569.62	\$170.88
The Schooley Printing and Stationery Company, 15th and Walnut Street, Kansas City, Missouri.	Printing.....	12-31-1940	12,729.64	18,882.86	9,149.52	114.02	None
		12-31-1941	13,398.84	17,021.40	13,761.68	3,527.09	1,402.52
		12-31-1942	14,053.21	28,817.92	13,107.31	17,606.12	8,725.28
Mississippi							
Adams-Edgar Lumber Company, Morton, Mississippi.	Lumber manufacturers.....	12-31-1940	58,702.20	23,832.43	15,195.04	4,610.81	None
		1-1-1942 to 7-31-1942	72,398.71	18,444.63	18,444.63	9,641.73	5,281.16
Nebraska							
Regis Hotel Company, Omaha, Nebraska.....	Hotel, bar and cafe operator.....	12-31-1942	4,169.08	16,497.50	7,750.56	16,287.65	5,931.58
Nevada							
Goose Lake Box Company, Reno, Nevada.....	Lumber and shook manufacture.....	12-31-1940	11,202.65	43,714.46	12,039.33	3,535.20	None
		12-31-1941	26,125.00	117,544.45	2,107.93	1,053.98	326.73
1st District of New Jersey							
Eastbourne Hotel Company, 1807 Pacific Avenue, Atlantic City, New Jersey.	Hotel.....	5-31-1943	100.00	4,472.43	612.50	1,102.50	330.75
5th District of New Jersey							
Citro Chemical Company of America, Maywood, New Jersey.	Manufacturing chemists.....	12-31-1941	64,071.49	10,451.72	4,302.47	1,936.12	600.20
Dornoff Products Company, 390-98 Halsey Street, Newark, New Jersey.	Distributors of gasoline and oils.....	12-31-1941	19,203.63	59,274.50	59,274.50	4,977.73	2,190.20
The Electrovox Company, Incorporated, 169 Maplewood Avenue, Maplewood, New Jersey.	Sale of phonograph accessories.....	10-31-1942	1,235.79	7,269.27	904.28	484.09	130.56
Fulton Brass Foundry, 81-85 Clay Street, Newark, New Jersey.	Brass and metal castings.....	12-31-1941	717.44	4,302.54	1,277.56	447.15	102.85
Galsworthy, Incorporated, 414 Elizabeth Avenue, Newark, New Jersey.	Wholesale wine and liquor.....	11-30-1941	86,802.11	102,269.20	20,833.00	6,862.39	None
		11-30-1942	107,073.12	105,636.36	28,416.61	18,971.26	7,322.69
Garden State Bus Lines, 1 Main Avenue, Passaic, New Jersey.	Passenger transportation.....	12-31-1941	4,861.75	5,375.72	5,375.72	3,012.82	1,647.60
C.A. Goldsmith Company, Incorporated, 270 Thomas Street, Newark, New Jersey.	Foundry.....	12-31-1940	7,080.01	67,919.99	5,490.18	1,400.26	None
Kent Metal and Chemical Works, Incorporated, 1030 River Road, Edgewater, New Jersey.	Manufacturer of flints.....	12-31-1941	8,454.67	66,545.33	10,039.56	4,034.68	1,775.26
		1-1-1941 to	2,000.00	36,000.00	3,175.24	3,196.06	990.78
The Larkey Company, Incorporated, 140 Market Street, Newark, New Jersey.	Clothiers, retail.....	11-30-1941	21,901.29	54,500.80	15,258.16	6,612.06	2,049.73
New Maplecrest Laundry, Incorporated, 415 Madison Avenue, Plainfield, New Jersey.	Power Laundry.....	9-30-1941	2,461.17	7,059.90	378.18	94.55	None
Preis Engraving Machine Company, H. P., Newark, New Jersey.		9-30-1942	2,824.72	6,696.35	437.43	213.75	56.11
Wilco Products, Incorporated, 591 Valley Street, Orange, New Jersey.	Manufacturing, sales and service of engraving machinery.....	12-31-1941	1,901.69	19,345.37	5,068.41	1,773.95	408.01
		12-31-1942	2,179.22	20,466.01	4,790.88	4,311.79	1,293.54
	Automotive equipment manufacturer and machining.	4-30-1942	284.41	20,333.44	7,604.24	2,960.68	740.17
		4-30-1943	1,108.14	19,509.71	6,807.36	4,948.66	1,484.61
1st District of New York							
Paper Novelty Manufacturing Company, 3505 Carroll Street, Brooklyn, New York.	Paper novelties.....	2-28-1941	52,188.45	None	None	1,110.55	None
		2-28-1942	47,786.06	16,247.77	16,247.77	6,795.23	2,106.51
2nd District of New York							
Aetna Felt Company, Incorporated, 202 Centre Street, New York, New York.	Manufacturers of felt products.....	12-31-1940	8,678.96	35,507.70	8,975.38	202.30	None
		12-31-1941	10,008.97	34,177.69	8,462.24	3,872.46	1,200.46
		12-31-1942	10,008.97	34,177.69	8,462.24	7,616.01	2,354.73
Baltimore Insular Line, Incorporated, 115 Broad Street, New York, New York.	Steamship transportation.....	12-31-1940	89,538.00	10,949.42	5,925.05	2,370.02	None
Lamar Slide Fastener Corporation, 120 E. 16th Street, New York City, New York.	Manufacturers of zippers.....	12-31-1941	6,664.55	30,765.45	33,914.38	16,957.19	5,256.72
Linker Machines, Incorporated, 39 Division Street, Newark, New Jersey.	Manufacturing sausage linking machines.....	12-31-1941	118.19	32,507.84	28,295.13	10,929.97	4,431.32
Albert Ochse Company, Incorporated, 443 Fourth Avenue, New York, New York.	Shell merchants.....	12-31-1942	3,751.05	26,157.71	26,157.71	19,366.46	7,279.96
Seaboard Stevedoring Corporation, 26 Beaver Street, New York, New York.	Stevedoring.....	12-31-1941	13,633.03	23,345.89	7,810.96	3,514.93	1,089.64
		12-31-1942	14,444.85	22,534.07	4,402.70	3,962.43	1,265.68
		12-31-1940	4,121.71	5,649.98	5,537.63	1,661.29	None
		12-31-1941	5,676.40	4,784.75	4,672.43	1,868.97	822.36
		12-31-1942	8,901.13	3,304.98	3,304.98	4,035.45	1,210.63
3rd District of New York							
Parke-Bernet Galleries, Incorporated, 303 E. 57th Street, New York, New York.	Public sales of art and literary property.	6-30-1941	6,367.06	110,116.18	24,127.94	7,238.38	None
21st District of New York							
Skeele Builders, Incorporated, 401 Herald Building, Syracuse, New York.	Construction of homes.....	12-31-1942	781.78	10,363.35	8,754.20	2,813.33	937.78
28th District of New York							
American Alsafe Company, Incorporated, 1248 Niagara Street, Buffalo, New York.	Sale of safety appliances.....	12-31-1941	4,645.02	3,086.51	3,086.51	1,818.64	418.28
Central Chevrolet Company, Incorporated, 200 East Avenue, Rochester, New York.	Automobile sales and service.....	12-31-1940	8,235.25	36,809.66	7,236.53	1,809.14	None
		12-31-1941	8,662.00	36,382.91	9,136.16	4,113.54	1,275.20
		12-31-1942	11,429.83	34,615.08	9,965.02	3,494.60	1,054.64
Driscoll Truck Line, Incorporated, 49 Gates Avenue, Geneva, New York.	Trucking contracting.....	4-30-1942	1,165.49	10,834.51	4,534.51	3,692.75	1,624.81
Ernst Iron Works, Incorporated, 75 Lathrop Street, Buffalo, New York.	Steel construction, etc.....	1-31-1943	20,202.87	452,897.13	31,416.76	19,660.62	15,814.67

See footnotes at end of table.

FEDERAL REGISTER, Thursday, November 2, 1944

EXCESS PROFITS TAX RELIEF GRANTED UNDER SECTION 722 OF THE INTERNAL REVENUE CODE BY THE COMMISSIONER OF INTERNAL REVENUE—Continued
FISCAL YEAR ENDED JUNE 30, 1944—Continued

Name and address of taxpayer (arranged by internal revenue districts in which excess profits tax returns were filed)	Business in which engaged	Taxable year ended	Excess profits credit before allowance of relief	Increase in the amount of excess profits credit claimed by taxpayer	Increase in the amount of excess profits credit allowed	Gross reduction in the excess profits (subchapter E) tax resulting from the operation of sec. 722	Gross increase in the income (chapter 1) tax resulting from the operation of sec. 722
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)
28th District of New York—Continued							
August Feine and Sons Company, 140 Terrace, Buffalo, New York.	Iron works (steel structural work)	12-31-1941	\$11,444.58	\$226,055.42	\$18,413.07	\$12,777.77	\$4,736.30
The Lorscheider-Schang Company, Incorporated, 140 Fitzhugh Street, Rochester, New York.	Manufacture paper boxes	12-31-1942	13,939.75	223,500.25	15,917.90	14,506.11	6,665.93
Riverside Service Corporation, 7 Austin Street, Buffalo, New York.	Local trucking	12-31-1941	30,445.84	59,431.59	7,812.00	7,901.71	2,468.13
H. L. Steffen and Sons, Incorporated, Fairpoint, New York.	Wholesale produce, retail coal and building supplies	12-31-1942	31,848.67	58,038.86	6,419.27	6,042.10	3,558.12
Stewart Motor Corporation, 161 Elm Street, Buffalo, New York.	Truck repair parts	12-31-1942	903.17	7,523.32	5,120.72	4,608.65	1,382.50
Vanott Machine Corporation, Buffalo, New York....	General machinists	12-31-1941	2,140.34	7,884.04	7,623.90	4,313.87	1,519.00
<i>North Carolina</i>							
Hugh Grey Hosiery Company, 266 Ann Street, Concord, North Carolina.	Hosiery manufacturers	12-31-1941	61,487.20	55,918.28	40,325.33	22,178.94	6,875.47
A. K. Sutton, Incorporated, Charlotte, North Carolina.	Wholesale radio dealers	12-31-1940	16,842.30	14,594.51	14,216.09	3,554.02	None
		12-31-1941	19,801.37	20,512.25	18,542.32	8,298.47	2,572.53
		12-31-1942	24,751.72	15,561.90	13,591.97	12,232.77	7,203.76
<i>1st District of Ohio</i>							
The Bradford Machine Tool Company, Cincinnati, Ohio.	Metal-working machinery including machine tools.	12-31-1941	12,158.48	123,942.42	102,892.81	57,051.90	17,686.12
The East Dayton Tool and Die Company, 1425 Keowee Street, Dayton, Ohio.	Manufacturers tools, dies, jigs, gages, fixtures, etc.	12-31-1940	12,896.79	23,026.51	10,824.10	3,247.22	None
		12-31-1941	20,209.28	21,463.42	12,886.37	7,087.51	2,197.13
<i>18th District of Ohio</i>							
Eaton Products of Ohio, Incorporated, Cleveland, Ohio.	Manufacturing, merchandising, servicing, automobile parts.	12-31-1940	8,472.98	11,428.09	8,634.72	1,768.43	None
		12-31-1941	4,837.88	14,431.46	9,393.61	4,183.48	1,840.66
The Mackenzie Coal Company, 1056 Hanna Building, Cleveland, Ohio.	Wholesale coal distributor	12-31-1942	6,946.58	12,474.32	11,075.72	10,543.58	3,223.52
The Standard Drug Company, Cleveland, Ohio.....	Drugs, wholesale and retail	12-31-1941	9,297.50	19,856.95	4,033.88	1,613.56	709.97
		12-31-1942	9,297.50	19,856.95	4,033.88	3,630.49	1,089.15
<i>Oklahoma</i>							
The Examiner Company, 321-23 Osage, Bartlesville, Oklahoma.	Newspaper publishing and commercial printing.	12-31-1942	5,831.08	14,984.15	10,064.82	3,084.36	1,105.31
<i>Oregon</i>							
R. M. Wade and Company, Tractor Sales Division, 106 South East Hawthorne Boulevard, Portland, Oregon.	Tractor and accessory sales and service.	12-31-1941	8,076.25	35,448.53	12,847.74	5,139.10	1,423.42
Warner Valley Stock Company, Klamath Falls, Oregon.	Livestock and farming	12-31-1940	85,128.82	30,305.28	12,032.19	3,008.05	None
<i>1st District of Pennsylvania</i>							
Philgate Company, Incorporated, N. E. Corner Broad and Arch Streets, Philadelphia, Pennsylvania.	Sale and application of road compounds.	12-31-1940	949.29	17,017.46	9,421.46	2,284.00	None
		12-31-1941	2,354.15	11,239.16	12,275.79	4,296.53	991.57
		12-31-1942	8,747.34	11,384.26	30,962.47	11,064.67	3,319.40
<i>South Carolina</i>							
Lexington Lumber Company, Columbia, South Carolina.	Lumber manufacturing	12-31-1940	14,930.44	8,876.84	8,899.80	2,696.96	None
<i>Tennessee</i>							
Kay Jewelry Company of Chattanooga, Inc., 630 Market Street, Chattanooga, Tennessee.	Retail installment jewelry	6-30-1941	3,269.94	72,622.38	27,174.98	9,455.95	None
The Mid-South Oil Company, 431 North Dunlop Street, Memphis, Tennessee.	Wholesale petroleum products	6-30-1942	4,172.20	71,720.12	31,486.64	14,873.64	4,610.83
		12-31-1941	37,900.03	42,018.05	8,983.43	8,064.51	2,499.99
<i>1st District of Texas</i>							
Adolphus Rice Milling Company, 4600 Clinton Drive, Houston, Texas.	Rice milling	12-31-1941	31,766.24	37,190.50	25,233.76	11,355.20	3,520.12
Field's Incorporated, 504 Chaparral Street, Corpus Christi, Texas.	Retail men's clothing	12-31-1942	31,766.24	37,190.50	25,233.76	11,813.90	11,813.90
Employees Lloyds, 409 Texas Bank Building, Dallas, Texas.	Air conditioning installation, sales and service	12-31-1942	1,211.22	3,060.23	617.53	555.77	166.73
Gibson and Jennings Drilling Company, 1310 Gulf States Building, Dallas, Texas.	Insurance company	12-31-1941	17,073.31	11,846.03	5,726.60	3,087.92	1,358.68
Interstate-Trinity Warehouse Company, 301 North Market Street, Dallas, Texas.	Drilling contractors and oil producers	8-1-1940 to 4-30-1941	23,039.03	35,258.43	12,699.87	4,252.33	None
Trinity Gas Corporation, 1404 Magnolia Building, Dallas, Texas.	Drayage, storage and motor freight	12-31-1941	3,956.05	15,756.45	7,043.95	3,086.73	742.52
Dominion Minerals, Incorporated, Piney River, Virginia.	Oil and gas production	12-31-1940	9,261.30	162,714.84	36,523.95	10,688.93	None
		12-31-1941	12,578.02	159,398.12	148,921.98	74,703.90	25,242.86
<i>Virginia</i>							
Mining	Mining	12-31-1940	12,086.48	26,886.17	9,921.22	2,712.21	None
		12-31-1941	12,466.73	26,505.92	14,703.27	6,414.86	1,988.61

EXCESS PROFITS TAX RELIEF GRANTED UNDER SECTION 722 OF THE INTERNAL REVENUE CODE BY THE COMMISSIONER OF INTERNAL REVENUE—Continued
FISCAL YEAR ENDED JUNE 30, 1944—Continued

Name and address of taxpayer (arranged by internal revenue districts in which excess profits tax returns were filed)	Business in which engaged	Taxable year ended	Excess profits credit before allowance of relief	Increase in the amount of excess profits credit claimed by taxpayer	Increase in the amount of excess profits credit allowed	Gross reduction in the excess profits (subchapter E) tax resulting from the operation of sec. 722	Gross increase in the income (chapter 1) tax resulting from the operation of sec. 722
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)
<i>Washington</i>							
Cabin Creek Lumber Company, Easton, Washington.	Lumber manufacturing.....	12-31-1940 12-31-1941 12-31-1942 12-31-1941	\$11,429.71 12,437.70 14,733.18 71,985.48	\$3,318.92 4,177.12 1,881.64 18,186.04	\$352.56 854.15 1,881.64 5,119.73	\$88.14 421.81 1,693.48 2,559.87	None \$172.79 495.04 793.57
Stimson Mill Company, 2116 Vernon Place, Seattle, Washington.	Lumber manufacturing.....						
Tyee Lumber Manufacturing Company, 600 Myrtle Street, Seattle, Washington.	Lumber manufacturing.....	12-31-1942	4,398.44	39,053.26	6,078.58	5,470.02	1,560.20
<i>Wisconsin</i>							
Rock River Woolen Mills, 1405 Riverside Street, Janesville, Wisconsin.	Manufacture of woolen cloth.....	12-31-1940	76,337.01	26,085.17	22,064.14	5,356.49	None
<i>Wyoming</i>							
Marvel Oil Company, Kemmerer, Wyoming.....	Production and sale of crude petroleum.....	12-31-1940 12-31-1941 12-31-1942	7,278.20 8,013.50 8,784.29	11,945.48 15,969.75 15,203.32	11,045.48 12,069.58 11,298.79	553.90 6,087.84 10,168.91	None 1,077.52 3,044.08

¹ Refer to compilation of excess profits tax relief for fiscal year ended June 30, 1943, for statement of relief previously allowed for taxable year ended October 31, 1941.

² Refer to compilation of excess profits tax relief for fiscal year ended June 30, 1942, for statement of relief previously allowed for taxable year ended December 31, 1940.

³ Refer to compilation of excess profits tax relief for fiscal year ended June 30, 1943, for statement of relief previously allowed for taxable year ended February 28, 1941.

[SEAL] **GEO. J. SCHOENEMAN,**
 Acting Commissioner of
 Internal Revenue.

[F. R. Doc. 44-16695; Filed, Oct. 31, 1944;
9:57 a.m.]

NAVY DEPARTMENT.

ELK HILLS RESERVE, CALIF.

CALL FOR BIDS WITH RESPECT TO PUBLIC SALE OF PETROLEUM.

Invitation to qualified bidders to bid with respect to public sale of petroleum from Naval Petroleum Reserve No. 1 (Elk Hills), Kern County, California.

1. Pursuant to the Act of June 4, 1920 as amended by Public Law No. 343, 78th Congress, 2d Sess., and the Joint Resolution of Congress No. 344, both of which latter were approved by the President of the United States June 17, 1944, the Secretary of the Navy (hereinafter referred to as Navy) will produce from said Reserve and have available for public sale to the highest qualified bidder petroleum in the estimated quantities, at the approximate times and at the places indicated below. Bids for all or any part of such petroleum are requested in compliance with the terms of the above cited act and joint resolution and the conditions and provisions to which reference is hereinafter made.

2. The public sale will take place in the office of the District Supply Officer, Twelfth Naval District, Room 545, Federal Office Building, San Francisco 2, California, at 10:00 a. m. (p. w. t.) November 14, 1944. No one will be permitted to bid at such sale who has not, in advance thereof, filed in writing with said Officer (a) a bid and (b) a statement describing his qualifications. The bids and statements will be read aloud at said time

and place and any interested person may be present and will be heard with respect to the subject matter. A bidder who has complied with the provisions of the specifications may forthwith, after all proposals have been read, change the price or any other terms of his bid and such change or changes shall immediately be written into his bid. No changes will be permitted, however, which will have the effect of lowering the prices bid. The bids will then be taken under advisement by Navy and an acceptance or acceptances made within 30 days thereafter but such acceptance or acceptances shall be subject, however, to the later approval of the President of the United States as explained in the specifications described below. Navy reserves the right, in the public interest, to reject all bids and order a new public sale.

3. The maximum number of barrels of petroleum covered hereby is approximately 6,733,260 barrels expected to be produced from the shallow zones and approximately 72,560 barrels available and expected to be produced from the deep zones. The quantities that will be available from time to time are subject to (a) speed of development work to increase present production, (b) a maximum authorized daily rate of production available to Navy of 50,000 barrels and (c) causes beyond the control of Navy. The principal place of delivery will be at U. S. Naval Fuel Annex, Elk Hills, in the South Half of Section 16, Township 31 South, Range 24 East, M. D. B & M., Kern County, California.

4. Navy reserves the right to reduce or stop production at any time when it is no longer required for the national defense and more particularly for the meeting of the critical need for petroleum on the west coast to supply the armed services in the Pacific theater. The contract of sale will, accordingly, contain provi-

sions for partial or total cancellation by Navy.

5. Specifications containing detailed information on quantities offered for sale, form of bids, bond requirements, payments, deliveries, volume measurements, provisions respecting price, gravity determination, form of contract, information to be supplied by bidder, etc., can and should be obtained by prospective bidders from Director, Naval Petroleum and Oil Shale Reserves, Navy Department, Washington, D. C. or the Inspector, Naval Petroleum Reserves in California, 402 United States Court House and Postoffice Bldg., Los Angeles 12, California, or the District Supply Officer, 12th Naval District, Federal Office Bldg., San Francisco 2, California. All proposals must conform to such specifications.

RALPH A. BARD,
Acting Secretary of the Navy.
OCTOBER 25, 1944.

[F. R. Doc. 44-16754; Filed, Nov. 1, 1944;
10:22 a. m.]

CIVIL AERONAUTICS BOARD.

[Docket No. SA-94]

AIRCRAFT OF U. S. REGISTRY NC 28346
INVESTIGATION OF ACCIDENT AT JACKSON,
MISS.

In the matter of investigation of accident involving aircraft of United States Registry NC 28346 which occurred at Jackson, Mississippi, on October 28, 1944.

Notice is hereby given, pursuant to the Civil Aeronautics Act of 1938, as amended, particularly section 702 of said act, in the above-entitled proceeding, that hearing is hereby assigned to be held on Saturday, November 4, 1944, at 9:30

FEDERAL REGISTER, Thursday, November 2, 1944

a. m. (c. w. t.) in the Civil Aeronautics Administration Building, Municipal Airport, Atlanta, Georgia.

Dated at Washington, D. C., October 31, 1944.

W. K. ANDREWS,
Presiding Officer.

[F. R. Doc. 44-16755; Filed, Nov. 1, 1944;
10:38 a. m.]

FEDERAL POWER COMMISSION.

[Docket No. G-589]

CANADIAN RIVER GAS CO.

NOTICE OF APPLICATION

OCTOBER 30, 1944.

Notice is hereby given that on October 21, 1944, an application was filed with the Federal Power Commission by Canadian River Gas Company ("Applicant"), a Delaware corporation doing business in the States of Texas and New Mexico, with its principal field operating office at Amarillo, Texas, and an administrative office at Colorado Springs, Colorado, for the issuance to it of a certificate of public convenience and necessity pursuant to section 7 of the Natural Gas Act, as amended (in the event the Commission determines that such a certificate is necessary), to authorize Applicant to construct and operate one 60-inch x 37-foot Absorber and connections at its Bivins Compressor Plant in southern Moore County, Texas.

The application recites that Applicant's transmission line extending from said plant frequently carries a much larger volume of gas than the present absorber capacity, and that additional natural gasoline to the extent, it is believed, of at least 118,500 gallons per year, can be recovered by the addition of the above-described absorber; and further that the transportation of unprocessed gas through its pipe line has to a certain extent reduced the capacity of such line, due to the heavier hydro-carbons contained in the natural gas.

Any person desiring to be heard or to make any protest with reference to said application should, on or before the 15th day of November, 1944, file with the Federal Power Commission, Washington 25, D. C., a petition or protest in accordance with the Commission's provisional rules of practice and regulations under the Natural Gas Act.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 44-16753; Filed, Nov. 1, 1944;
9:58 a. m.]

[Docket No. IT-5924]

CALIFORNIA PUBLIC SERVICE CO. AND CALIFORNIA OREGON POWER CO.

NOTICE OF APPLICATION

OCTOBER 30, 1944.

Notice is hereby given that on October 28, 1944, a joint application was filed with the Federal Power Commission, pursuant to the Federal Power Act, by California Public Service Company (hereinafter referred to as "Public"), a corpora-

tion organized under the laws of the State of California and doing business in the States of California and Oregon, with its principal business office at Portland, Oregon, and The California Oregon Power Company (hereinafter referred to as "Copco"), a corporation organized under the laws of the State of California and doing business in the States of California and Oregon, with its principal business office at Medford, Oregon, seeking an order authorizing the sale by Public of its electric facilities located in Lake County, Oregon, and Modoc County, California, and the acquisition of said facilities by Copco, for a cash consideration stated in the application to be \$470,000, subject to certain adjustments, or in the alternative, an order dismissing the application for lack of jurisdiction; all as more fully appears in the application on file with the Commission.

Any person desiring to be heard or to make any protest with reference to said application should, on or before the 20th day of November 1944, file with the Federal Power Commission, Washington 25, D. C., a petition or protest in accordance with the Commission's rules of practice and regulations.

[SEAL]

LEON M. FUQUAY,
Secretary.

[F. R. Doc. 44-16767; Filed, Nov. 1, 1944;
10:51 a. m.]

INTERSTATE COMMERCE COMMISSION.

[S. O. 70-A, Special Permit 641]

RECONSIGNMENT OF CAULIFLOWER AT MEMPHIS, TENN.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70-A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70-A insofar as it applies to the reconsignment at Memphis, Tennessee, October 28, 1944, by San Pat Vegetable Company, Alamosa, Colorado, of car ART 17156, cauliflower, now on the Missouri Pacific Railroad, to Leon J. Tujague, New Orleans, Louisiana (Mo. Pac.-I. C.)

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 28th day of October 1944.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 44-16758; Filed, Nov. 1, 1944;
10:49 a. m.]

[S. O. 70-A, Special Permit 642]

RECONSIGNMENT OF ONIONS AT CHICAGO, ILL.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70-A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70-A insofar as it applies to the reconsignment at Chicago, Illinois, October 28, 1944, by Kramer Brothers, of car ART 22703, onions, now on the Wood Street Terminal to Schwartz Brothers, Detroit, Michigan (Wabash).

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 28th day of October 1944.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 44-16759; Filed, Nov. 1, 1944;
10:49 a. m.]

[S. O. 70-A, Special Permit 643]

RECONSIGNMENT OF POTATOES AT CHICAGO, ILL.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70-A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70-A insofar as it applies to the reconsignment at Chicago, Illinois, October 28, 1944, by Sterling Huxtable Company, Alamosa, Colorado, of car MDT 18107, potatoes, now on the Missouri Pacific Railroad, to J. Waxman Company, Milwaukee, Wisconsin (C&NW).

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 28th day of October 1944.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 44-16760; Filed, Nov. 1, 1944;
10:49 a. m.]

[S. O. 70-A, Special Permit 644]
RECONSIGNMENT OF PEARS AT PHILADELPHIA, PA.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70-A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70-A insofar as it applies to the reconsignment at Philadelphia, Pennsylvania, October 30, 1944, by M. Rosen Company, of car PFE 63409, pears, now on the Baltimore & Ohio Railroad Terminal, to Alfred W. Otis & Company, Boston, Massachusetts (B&O-NYNH&H-B&M Auction Delivery).

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 30th day of October 1944.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 44-16761; Filed, Nov. 1, 1944;
10:49 a. m.]

[S. O. 70-A, Special Permit 645]
RECONSIGNMENT OF GRAPES AT CHICAGO, ILL.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70-A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70-A insofar as it applies to the reconsignment at Chicago, Illinois, October 30, 1944, by Joe Pantaleo, of car PFE 98016, grapes, now on the A. T. & S. F. Railway, to Tom Duso, Detroit, Michigan (M. C.).

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 30th day of October 1944.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 44-16762; Filed, Nov. 1, 1944;
10:49 a. m.]

OFFICE OF DEFENSE TRANSPORTATION.

[Supp. Order ODT 3, Rev. 227, Amdt. 1]

COMMON CARRIERS

COORDINATED OPERATIONS IN RHODE ISLAND

Upon consideration of a petition for amendment of Supplementary Order ODT 3, Revised-227 (9 F.R. 4408), filed with the Office of Defense Transportation by three of the parties subject thereto, and good cause appearing therefor: *It is hereby ordered*, That:

Supplementary Order ODT 3, Revised-227 be, and it is hereby, amended.

1. By eliminating M. & M. Transportation Co., a corporation, of Somerville, Massachusetts, and Harrison Motor Freight, a corporation, of Hillside, New Jersey, as carriers subject thereto;
2. By striking from the caption of said order "M. & M. Transportation Co., et al." and substituting "N. E. Carrier Corp. et al.;"
3. By striking from Appendix 1 thereof of items (1) and (5);
4. By striking from Article 1 of Appendix 2 thereof all reference to M. & M. Transportation Co., and to Harrison Motor Freight;
5. By striking from Article 3 of Appendix 2 to said order paragraphs (a) and (f) setting forth the schedules of M. & M. Transportation Co., and of Harrison Motor Freight;
6. By striking from Article 4 of Appendix 2 the first and sixth paragraphs, which define the operating rights of M. & M. Transportation Co., and of Harrison Motor Freight;
7. By striking from Article 6 of Appendix 2 paragraphs (A-1), (A-2), (E-1) and (E-2), which refer to arrangements for coordinated operation between M. & M. Transportation Co., and Lefrancois Transfer & Teaming Co., a corporation, of Woonsocket, Rhode Island, a carrier subject to said supplementary order, and between Harrison Motor Freight and Lefrancois Transfer & Teaming Co., respectively; and,

8. By striking from the first paragraph of Article 7 of Appendix 2 the words "M & M," and "and Harrison" and inserting between the words "McLean" and "A. B. C." the word "and", so that said paragraph shall read "N. E. Carrier, McLean, and A. B. C. will suspend L. T. L. service between Woonsocket, R. I. and Providence, R. I., over R. I. Highways 146 and 122."

This amendment shall become effective November 1, 1944.

Issued at Washington, D. C., this 1st day of November 1944.

J. M. JOHNSON,
Director,
Office of Defense Transportation.

[F. R. Doc. 44-16742; Filed, Oct. 31, 1944;
2:32 p. m.]

[Supp. Order ODT 3, Rev. 386]

COMMON CARRIERS

COORDINATED OPERATIONS BETWEEN GREENVILLE AND COLUMBIA, S. C.

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof to facilitate compliance with the requirements and purposes of General Order ODT 3, Revised, as amended (7 F.R. 5445, 6689, 7694; 8 F.R. 4660, 14582; 9 F.R. 2793, 3264, 3357, 6778), a copy of which plan is attached hereto as Appendix 2,¹ and

It appearing that the proposed coordination of operations is necessary in order to assure maximum utilization of the facilities, services, and equipment, and to conserve and providently utilize vital equipment, materials, and supplies, of the carriers, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, *It is hereby ordered*, That:

1. The plan for joint action above referred to is hereby approved and the carriers are directed to put the plan in operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the carriers forthwith shall file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order, and likewise shall file, and publish in accordance with law, and continue in effect until further order, tariffs or supplements to filed tariffs, setting forth any changes in rates, charges, operations, rules, regulations, and practices of the carrier which may be necessary to accord with the provisions of this order and of such plan; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs or supplements to become effective on the shortest notice lawfully permissible, but not prior to the effective date of this order.

3. Whenever transportation service is performed by one carrier in lieu of service by another carrier, by reason of a diversion, exchange, pooling, or similar act made or performed pursuant to the

¹ Filed as part of the original document.

FEDERAL REGISTER, Thursday, November 2, 1944

plan for joint action hereby approved, the rates, charges, rules, and regulations governing such service shall be those that would have applied except for such diversion, exchange, pooling, or other act.

4. The provisions of this order shall not be so construed or applied as to require any carrier subject hereto to perform any service beyond its transportation capacity, or to authorize or require any act or omission which is in violation of any law or regulation, or to permit any carrier to alter its legal liability to any shipper. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing interstate or intrastate operating authority of any carrier subject hereto, such carrier forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the carriers' possessing or obtaining the requisite operating authority.

5. All records of the carriers pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination and inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

6. Withdrawal of a carrier from participation in the plan for joint action hereby approved shall not be made without prior approval of the Office of Defense Transportation.

7. The provisions of this order shall be binding upon any successor in interest to any carrier named in this order. Upon a transfer of any operation involved in this order, the successor in interest and the other carriers named in this order forthwith shall notify, in writing, the Office of Defense Transportation of the transfer and, unless and until otherwise ordered, the successor in interest shall perform the functions of his predecessor in accordance with the provisions of this order.

8. The plan for joint action hereby approved and all contractual arrangements made by the carriers to effectuate the plan shall not continue in operation beyond the effective period of this order.

9. Communications concerning this order should refer to it by the supplementary order number which appears in the caption hereof, and, unless otherwise directed, should be addressed to the Highway Transport Department, Office of Defense Transportation, Washington 25, D. C.

This order shall become effective November 6, 1944, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 1st day of November 1944.

J. M. JOHNSON,
Director,
Office of Defense Transportation.

APPENDIX 1

Huckabee Transport Corporation, Columbia, S. C.

J. N. Youngblood, doing business as J. N. Youngblood Truck Lines, Fletcher, N. C.
Cooper Motor Lines, Inc., Greenville, S. C.

[F. R. Doc. 44-16739; Filed, Oct. 31, 1944;
2:31 p. m.]

[Supp. Order ODT 8, Rev. 388]

COMMON CARRIERS

COORDINATED OPERATIONS IN ARIZONA

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof to facilitate compliance with the requirements and purposes of General Order ODT 3, Revised, as amended (7 F.R. 5445, 6689, 7694; 8 F.R. 4660, 14582; 9 F.R. 2793, 3264, 3357, 6778), a copy of which plan is attached hereto as Appendix 2,¹ and

It appearing that the proposed coordination of operations is necessary in order to assure maximum utilization of the facilities, services, and equipment, and to conserve and providently utilize vital equipment, materials, and supplies, of the carriers, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, *It is hereby ordered, That:*

1. The plan for joint action above referred to is hereby approved and the carriers are directed to put the plan in operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the carriers forthwith shall file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order, and likewise shall file, and publish in accordance with law, and continue in effect until further order, tariffs or supplements to filed tariffs, setting forth any changes in rates, charges, operations, rules, regulations, and practices of the carrier which may be necessary to accord with the provisions of this order and of such plan; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs or supplements to become effective on the shortest notice lawfully permissible, but not prior to the effective date of this order.

3. Whenever transportation service is performed by one carrier in lieu of service by another carrier, by reason of a diversion, exchange, pooling, or similar act made or performed pursuant to the plan for joint action hereby approved, the rates, charges, rules, and regulations governing such service shall be those that would have applied except for such

diversion, exchange, pooling, or other act.

4. The provisions of this order shall not be so construed or applied as to require any carrier subject hereto to perform any service beyond its transportation capacity, or to authorize or require any act or omission which is in violation of any law or regulation, or to permit any carrier to alter its legal liability to any shipper. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing interstate or intrastate operating authority of any carrier subject hereto, such carrier forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the carriers' possessing or obtaining the requisite operating authority.

5. All records of the carriers pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination and inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

6. Withdrawal of a carrier from participation in the plan for joint action hereby approved shall not be made without prior approval of the Office of Defense Transportation.

7. The provisions of this order shall be binding upon any successor in interest to any carrier named in this order. Upon a transfer of any operation involved in this order, the successor in interest and the other carriers named in this order forthwith shall notify, in writing, the Office of Defense Transportation of the transfer and, unless and until otherwise ordered, the successor in interest shall perform the functions of his predecessor in accordance with the provisions of this order.

8. The plan for joint action hereby approved and all contractual arrangements made by the carriers to effectuate the plan shall not continue in operation beyond the effective period of this order.

9. Communications concerning this order should refer to it by the supplementary order number which appears in the caption hereof, and, unless otherwise directed, should be addressed to the Highway Transport Department, Office of Defense Transportation, Washington 25, D. C.

This order shall become effective November 6, 1944, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 1st day of November 1944.

J. M. JOHNSON,
Director,
Office of Defense Transportation.

¹ Filed as part of the original document.

APPENDIX 1

Loran R. Webb, doing business as Daze Transfer, Winslow, Ariz.
 Lily Carduff, doing business as Carduff Transfer, Winslow, Ariz.

[F. R. Doc. 44-16737; Filed, Oct. 31, 1944;
 2:31 p. m.]

[Supp. Order ODT 3, Rev. 389]

COMMON CARRIERS

COORDINATED OPERATIONS IN NEW YORK,
 PENNSYLVANIA AND NEW JERSEY

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof to facilitate compliance with the requirements and purposes of General Order ODT 3, Revised, as amended (7 F.R. 5445, 6689, 7694; 8 F.R. 4660, 14582; 9 F.R. 2793, 3264, 3357, 6778), a copy of which plan is attached hereto as Appendix 2,¹ and

It appearing that the proposed coordination of operations is necessary in order to assure maximum utilization of the facilities, services, and equipment, and to conserve and providently utilize vital equipment, materials, and supplies, of the carriers, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, *It is hereby ordered*, That:

1. The plan for joint action above referred to is hereby approved and the carriers are directed to put the plan in operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the carriers forthwith shall file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order, and likewise shall file, and publish in accordance with law, and continue in effect until further order, tariffs or supplements to filed tariffs, setting forth any changes in rates, charges, operations, rules, regulations, and practices of the carrier which may be necessary to accord with the provisions of this order and of such plan; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs or supplements to become effective on the shortest notice lawfully permissible, but not prior to the effective date of this order.

3. Whenever transportation service is performed by one carrier in lieu of service by another carrier, by reason of a diversion, exchange, pooling, or similar act made or performed pursuant to the plan for joint action hereby approved, the rates, charges, rules, and regulations governing such service shall be those that would have applied except for such diversion, exchange, pooling, or other act.

4. The provisions of this order shall not be so construed or applied as to require any carrier subject hereto to perform any service beyond its transportation capacity, or to authorize or require any act or omission which is in

violation of any law or regulation, or to permit any carrier to alter its legal liability to any shipper. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing interstate or intrastate operating authority of any carrier subject hereto, such carrier forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the carriers' possessing or obtaining the requisite operating authority.

5. All records of the carriers pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination and inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

6. Withdrawal of a carrier from participation in the plan for joint action hereby approved shall not be made without prior approval of the Office of Defense Transportation.

7. The provisions of this order shall be binding upon any successor in interest to any carrier named in this order. Upon a transfer of any operation involved in this order, the successor in interest and the other carriers named in this order forthwith shall notify, in writing, the Office of Defense Transportation of the transfer and, unless and until otherwise ordered, the successor in interest shall perform the functions of his predecessor in accordance with the provisions of this order.

8. The plan for joint action hereby approved and all contractual arrangements made by the carriers to effectuate the plan shall not continue in operation beyond the effective period of this order.

9. Communications concerning this order should refer to it by the supplementary order number which appears in the caption hereof, and, unless otherwise directed, should be addressed to the Highway Transport Department, Office of Defense Transportation, Washington 25, D. C.

This order shall become effective November 6, 1944, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 1st day of November 1944.

J. M. JOHNSON,
 Director,
 Office of Defense Transportation.

APPENDIX 1

Joseph Pestrak, Frank Weide, Mary Pestrak, Frank Pestrak and John Pestrak, doing business as Perawel Trucking Co., Trenton, N. J.

Charles Burnett Trucking Co., Trenton, N. J.
 Kirby & Kirby, Inc., Trenton, N. J.
 [F. R. Doc. 44-16738; Filed, Oct. 31, 1944;
 2:31 p. m.]

[Supp. Order ODT 3, Rev. 390]

COMMON CARRIERS

COORDINATED OPERATIONS IN ARIZONA

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof to facilitate compliance with the requirements and purposes of General Order ODT 3, Revised, as amended (7 F.R. 5445, 6689, 7694; 8 F.R. 4660, 14582; 9 F.R. 2793, 3264, 3357, 6778), a copy of which plan is attached hereto as Appendix 2,¹ and

It appearing that the proposed coordination of operations is necessary in order to assure maximum utilization of the facilities, services, and equipment, and to conserve and providently utilize vital equipment, materials, and supplies, of the carriers, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, *It is hereby ordered*, That:

1. The plan for joint action above referred to is hereby approved and the carriers are directed to put the plan in operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the carriers forthwith shall file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order, and likewise shall file, and publish in accordance with law, and continue in effect until further order, tariffs or supplements to filed tariffs, setting forth any changes in rates, charges, operations, rules, regulations, and practices of the carrier which may be necessary to accord with the provisions of this order and of such plan; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs or supplements to become effective on the shortest notice lawfully permissible, but not prior to the effective date of this order.

3. Whenever transportation service is performed by one carrier in lieu of service by another carrier, by reason of a diversion, exchange, pooling, or similar act made or performed pursuant to the plan for joint action hereby approved, the rates, charges, rules, and regulations governing such service shall be those that would have applied except for such diversion, exchange, pooling, or other act.

4. The provisions of this order shall not be so construed or applied as to require any carrier subject hereto to perform any service beyond its transportation capacity, or to authorize or require any act or omission which is in violation of any law or regulation, or to permit

¹ Filed as part of the original document.

any carrier to alter its legal liability to any shipper. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing interstate or intrastate operating authority of any carrier subject hereto, such carrier forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the carriers' possessing or obtaining the requisite operating authority.

5. All records of the carriers pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination and inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

6. Withdrawal of a carrier from participation in the plan for joint action hereby approved shall not be made without prior approval of the Office of Defense Transportation.

7. The provisions of this order shall be binding upon any successor in interest to any carrier named in this order. Upon a transfer of any operation involved in this order, the successor in interest and the other carriers named in this order forthwith shall notify, in writing, the Office of Defense Transportation of the transfer and, unless and until otherwise ordered, the successor in interest shall perform the functions of his predecessor in accordance with the provisions of this order.

8. The plan for joint action hereby approved and all contractual arrangements made by the carriers to effectuate the plan shall not continue in operation beyond the effective period of this order.

9. Communications concerning this order should refer to it by the supplementary order number which appears in the caption hereof, and, unless otherwise directed, should be addressed to the Highway Transport Department, Office of Defense Transportation, Washington 25, D. C.

This order shall become effective November 6, 1944, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 1st day of November 1944.

J. M. JOHNSON,

Director,

Office of Defense Transportation.

APPENDIX 1

Virgil Burke, Globe, Ariz.
W. A. Hixon, Globe, Ariz.

[F. R. Doc. 44-16736; Filed, Oct. 31, 1944;
2:30 p. m.]

[Supp. Order ODT 3, Rev. 391]

COMMON CARRIERS

COORDINATED OPERATIONS BETWEEN HOLBROOK AND LUPTON, ARIZ.

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof to facilitate compliance with the requirements and purposes of General Order ODT 3, Revised, as amended (7 F.R. 5445, 6689, 7694; 8 F.R. 4660, 14582; 9 F.R. 2793, 3264, 3357, 6778), a copy of which plan is attached hereto as Appendix 2,¹ and

It appearing that the proposed coordination of operations is necessary in order to assure maximum utilization of the facilities, services, and equipment, and to conserve and providently utilize vital equipment, materials, and supplies, of the carriers, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, *It is hereby ordered*, That:

1. The plan for joint action above referred to is hereby approved and the carriers are directed to put the plan in operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the carriers forthwith shall file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order, and likewise shall file, and publish in accordance with law, and continue in effect until further order, tariffs or supplements to filed tariffs, setting forth any changes in rates, charges, operations, rules, regulations, and practices of the carrier which may be necessary to accord with the provisions of this order and of such plan; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs or supplements to become effective on the shortest notice lawfully permissible, but not prior to the effective date of this order.

3. Whenever transportation service is performed by one carrier in lieu of service by another carrier, by reason of a diversion, exchange, pooling, or similar act made or performed pursuant to the plan for joint action hereby approved, the rates, charges, rules, and regulations governing such service shall be those that would have applied except for such diversion, exchange, pooling, or other act.

4. The provisions of this order shall not be so construed or applied as to require any carrier subject hereto to perform any service beyond its transportation capacity, or to authorize or require any act or omission which is in violation of any law or regulation, or to permit any carrier to alter its legal liability to any shipper. In the event that compli-

ance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing interstate or intrastate operating authority of any carrier subject hereto, such carrier forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be required to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the carriers' possessing or obtaining the requisite operating authority.

5. All records of the carriers pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination and inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

6. Withdrawal of a carrier from participation in the plan for joint action hereby approved shall not be made without prior approval of the Office of Defense Transportation.

7. The provisions of this order shall be binding upon any successor in interest to any carrier named in this order. Upon a transfer of any operation involved in this order, the successor in interest and the other carriers named in this order forthwith shall notify, in writing, the Office of Defense Transportation of the transfer and, unless and until otherwise ordered, the successor in interest shall perform the functions of his predecessor in accordance with the provisions of this order.

8. The plan for joint action hereby approved and all contractual arrangements made by the carriers to effectuate the plan shall not continue in operation beyond the effective period of this order.

9. Communications concerning this order should refer to it by the supplementary order number which appears in the caption hereof, and, unless otherwise directed, should be addressed to the Highway Transport Department, Office of Defense Transportation, Washington 25, D. C.

This order shall become effective November 6, 1944, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 1st day of November 1944.

J. M. JOHNSON,

Director,

Office of Defense Transportation.

APPENDIX 1

Jesse M. Smith, Lawrence N. Smith and D. E. Heywood, doing business as Smith-Heywood Co., Holbrook, Ariz.

R. G. Lewis, doing business as Ranchers Supply Co., Sanders, Ariz.

[F. R. Doc. 44-16740; Filed, Oct. 31, 1944;
2:32 p. m.]

¹ Filed as part of the original document.

[Supp. Order ODT 3, Rev. 392]

COMMON CARRIERS

COORDINATED OPERATIONS BETWEEN ATLANTA,
GA., AND NASHVILLE, TENN.

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof to facilitate compliance with the requirements and purposes of General Order ODT 3, Revised, as amended (7 F.R. 5445, 6689, 7694; 8 F.R. 4660, 14582; 9 F.R. 2793, 3264, 3357, 6778), a copy of which plan is attached hereto as Appendix 2,¹ and

It appearing that the proposed coordination of operations is necessary in order to assure maximum utilization of the facilities, services, and equipment, and to conserve and providently utilize vital equipment, materials, and supplies of the carriers, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, *It is hereby ordered*, That:

1. The plan for joint action above referred to is hereby approved and the carriers are directed to put the plan in operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the carriers forthwith shall file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order, and likewise shall file, and publish in accordance with law, and continue in effect until further order, tariffs or supplements to filed tariffs, setting forth any changes in rates, charges, operations, rules, regulations, and practices of the carrier which may be necessary to accord with the provisions of this order and of such plan; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs or supplements to become effective on the shortest notice lawfully permissible, but not prior to the effective date of this order.

3. Whenever transportation service is performed by one carrier in lieu of service by another carrier, by reason of a diversion, exchange, pooling, or similar act made or performed pursuant to the plan for joint action hereby approved, the rates, charges, rules, and regulations governing such service shall be those that would have applied except for such diversion, exchange, pooling, or other act.

4. The provisions of this order shall not be so construed or applied as to require any carrier subject hereto to perform any service beyond its transportation capacity, or to authorize or require any act or omission which is in violation of any law or regulation, or to permit any carrier to alter its legal liability to any shipper. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not

be authorized under, the existing interstate or intrastate operating authority of any carrier subject hereto, such carrier forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the carriers' possessing or obtaining the requisite operating authority.

5. All records of the carriers pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination and inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

6. Withdrawal of a carrier from participation in the plan for joint action hereby approved shall not be made without prior approval of the Office of Defense Transportation.

7. The provisions of this order shall be binding upon any successor in interest to any carrier named in this order. Upon a transfer of any operation involved in this order, the successor in interest and the other carriers named in this order forthwith shall notify, in writing, the Office of Defense Transportation of the transfer and, unless and until otherwise ordered, the successor in interest shall perform the functions of his predecessor in accordance with the provisions of this order.

8. The plan for joint action hereby approved and all contractual arrangements made by the carriers to effectuate the plan shall not continue in operation beyond the effective period of this order.

9. Communications concerning this order should refer to it by the supplementary order number which appears in the caption hereof, and, unless otherwise directed, should be addressed to the Highway Transport Department, Office of Defense Transportation, Washington 25, D. C.

This order shall become effective November 6, 1944, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

ROBERTSON COAL CO., MIDDLESBORO, KY., ROBERTSON COAL CO. MINE, TURNER SEAM, MINE INDEX NO. 7138, BELL COUNTY, KY., SUBDISTRICT 6, RAIL SHIPPING POINT: MIDDLESBORO, KY., F. O. G. 113, DEEP MINE, MAXIMUM TRUCK PRICE GROUP NO. 3

Issued at Washington, D. C., this 1st day of November 1944.

J. M. JOHNSON,
Director,
Office of Defense Transportation.

APPENDIX 1

Johnson Freight Lines, Inc., Chattanooga, Tennessee.

Wilson Truck Company, Inc., Nashville, Tennessee.

Tompkins Motor Lines, Inc., Nashville, Tennessee.

[F. R. Doc. 44-16741; Filed, Oct. 31, 1944;
2:32 p. m.]

OFFICE OF PRICE ADMINISTRATION.

[MPR 120, Order 1103]

ROBERTSON COAL CO., ET AL.

ESTABLISHMENT OF MAXIMUM PRICES

For the reasons set forth in an accompanying opinion, and in accordance with § 1340.210 (a) (6) of Maximum Price Regulation No. 120: *It is ordered*:

Producers identified herein operate named mines assigned the mine index numbers, the price classifications and the maximum prices in cents per net ton, for the indicated uses and shipments as set forth herein. All are in District No.

8. The mine index numbers and the price classifications assigned are permanent but the maximum prices may be changed by an amendment issued after the effective date of this order. Where such an amendment is issued for the district in which the mines involved herein are located and where the amendment makes no particular reference to a mine or mines involved herein, the prices shall be the prices set forth in such amendment for the price classifications of the respective size groups. The location of each mine is given by county and state. The maximum prices stated to be for truck shipment are in cents per net ton f. o. b. the mine or preparation plant and when stated to be for rail shipment or for railroad fuel are in cents per net ton f. o. b. rail shipping point. In cases where mines ship coals by river the prices for such shipments are those established for rail shipment and are in cents per net ton f. o. b. river shipping point.

However, producer is subject to the provisions of § 1340.219 and all other provisions of Maximum Price Regulation No. 120.

Size group Nos.

	1	2	3	4	5	6	7	8	9	10	15, 16, 17	18	19	20, 21
Price classification	H	H	H	H	F	F	E	E	C	E	D	K	K	K
Rail shipments and railroad fuel	395	390	375	375	370	355	335	330	330	385	315	300	295	295
Truck shipment	405	385	350	350	320	300	260	255	—	—	—	—	—	—

¹ Filed as part of the original document.

FEDERAL REGISTER, Thursday, November 2, 1944

STANDARD BANNER COAL CO., WARENTA, VA., NO. 2 MINE, LOWER BANNER SEAM, MINE INDEX NO. 713, DICKINSON COUNTY, VA., SUBDISTRICT 7, RAIL SHIPPING POINT: WARENTA, VA., F.O.G. 10, DEEP MINE, MAXIMUM TRUCK PRICE GROUP NO. 5

Size group Nos.

Price classification	1	2	3	4	5	6	7	8	9	10	15, 16, 17	18	19	20, 21
Rail shipments and railroad fuel	M	M	M	K	K	J	G	E	D	G	G	G	G	G
Rail shipment	350	350	345	345	345	325	315	310	310	300	295	285	280	280
Truck shipment	380	360	335	335	320	295	290	285	285	280	275	270	265	260

STOKE COAL CO., 500 FIRST NATIONAL BANK BLDG., LEXINGTON, KY., STOKE MINE, HAZARD NO. 4 SEAM, MINE INDEX NO. 7136, PEARY COUNTY, KY., SUBDISTRICT 3, RAIL SHIPPING POINT: STOREE, KY., F.O.G. 100, DEEP MINE, MAXIMUM TRUCK PRICE GROUP NO. 5

Size group Nos.

Price classification	1	2	3	4	5	6	7	8	9	10	15, 16, 17	18	19	20-21	22
Rail shipment and railroad fuel	K	K	K	K	H	G	F	D	C	G	G	G	N	G	N
Rail shipment	365	360	330	350	345	335	315	315	315	300	295	285	280	280	280
Truck shipment	380	360	335	335	320	295	290	285	285	280	275	270	265	260	260

LITTLE COAL CO., WHITESBURG, KY., LITTLE MINE, ELKHORN SEAM, MINE INDEX NO. 7108, LETCHER COUNTY, KY., SUBDISTRICT 1, RAIL SHIPPING POINT: WHITESBURG, KY., F.O.G. 100, DEEP MINE, MAXIMUM TRUCK PRICE GROUP NO. 5

Size group Nos.

Price classification	1	2	3	4	5	6	7	8	9	10	15, 16, 17	18	19	20, 21
Rail shipments and railroad fuel	K	K	K	K	K	J	G	E	G	D	J	J	J	J
Rail shipment	365	360	350	350	345	335	315	310	310	305	295	285	280	280
Truck shipment	380	360	335	335	320	295	290	285	285	280	275	270	265	260

LITTLE ROCK COAL CO., S/O MRS. J. B. BROCK, NEON, KY., LITTLE ROCK MINE, ELEKHORN SEAM, MINE INDEX NO. 7106, LETCHER COUNTY, KY., SUBDISTRICT 1, RAIL SHIPPING POINT: WHITESBURG, KY., F.O.G. 100, DEEP MINE, MAXIMUM TRUCK PRICE GROUP NO. 5

Size group Nos.

Price classification	1	2	3	4	5	6	7	8	9	10	15, 16, 17	18	19	20, 21
Rail shipments and railroad fuel	K	K	K	K	K	K	J	G	E	G	D	J	J	J
Rail shipment	365	360	350	350	345	335	315	310	310	305	295	285	280	280
Truck shipment	380	360	335	335	320	295	290	285	285	280	275	270	265	260

TROY TAYLOR, MILLSTONE, KY., TAYLOR MINE, ELKHORN SEAM, MINE INDEX NO. 7110, LETCHER COUNTY, KY., SUBDISTRICT 1, RAIL SHIPPING POINT: WHITESTURG, KY., F.O.G. 100, DEEP MINE, MAXIMUM TRUCK PRICE GROUP NO. 5

Size group Nos.

Price classification	1	2	3	4	5	6	7	8	9	10	15, 16, 17	18	19	20, 21
Rail shipments and railroad fuel	K	K	K	K	K	K	J	G	E	G	D	J	J	J
Rail shipment	365	360	350	350	345	335	315	310	310	305	295	285	280	280
Truck shipment	380	360	335	335	320	295	290	285	285	280	275	270	265	260

WEBB BRANCH COAL CO., PINEVILLE, KY., WEBB BRANCH NO. 3 MINE, HORSE CREEK SEAM, MINE INDEX NO. 7094, CLAY COUNTY, KY., SUR-DIST. 6, RAIL SHIPPING POINT: MANCHESTER, KY., F.O.G. 100, DEEP MINE, MAXIMUM TRUCK PRICE GROUP NO. 5

Size group Nos.

Price classification	1	2	3	4	5	6	7	8	9	10	15, 16, 17	18	19	20, 21
Rail shipments and railroad fuel	M	M	M	M	K	K	K	J	G	E	G	D	K	K
Rail shipment	365	360	360	350	350	345	335	315	310	305	295	285	280	280
Truck shipment	380	360	335	335	320	295	290	285	285	280	275	270	265	260

amended to read as follows:

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, the Stabilization Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328, it is ordered:

(a) *Manufacturer's maximum prices.* The Nagel-Chase Manufacturing Company, 2811-2843 North Ashland Avenue, Chicago, Illinois, and George J. Steine & Company, Chicago, Illinois, may sell and deliver the stamped steel pliers, the carded set of eight stamped combination box and open end wrenches, and the five ratchet wrenches manufactured by the Nagel-Chase Manufacturing Company at prices no higher than the following:

Article	Model	To Jobbers	To Retailers
Pliers.....	Zinc plated.....	\$1.60 per doz.	\$1.44 per doz.
Wrenches.....	Unplated.....	\$0.08 per doz.	\$0.59 per set.
Ratchet wrench.....	Set of 8.....	\$0.44 per set.	\$0.46 each.
	3/8 X 7/16.....	\$0.42 each.....	\$0.41 each.
	1/2 X 9/16.....	\$0.48 each.....	\$0.49 each.
	3/4 X 11/16.....	\$0.52 each.....	\$0.53 each.
	5/8 X 13/16.....	\$0.60 each.....	\$0.65 each.

These prices are f. o. b. seller's city, and are subject to the seller's customary discounts, allowances, and other price differentials to each class of purchaser.

(c) *Maximum prices for sales at retail.* Any purchaser for resale at retail may sell and deliver the pliers and wrenches manufactured by the Nagel-Chase Manufacturing Company at prices no higher than the following:

Article	Model	To Consumers
Pliers.....	Zinc plated.....	\$0.20 each.
Wrenches.....	Unplated.....	\$0.18 each.
Ratchet wrench.....	Set of 8.....	\$0.84 each.
	1/2 X 7/16.....	\$0.96.....
	3/4 X 11/16.....	\$1.04 each.
	5/8 X 13/16.....	\$0.80 each.
	3/8 X 13/16.....	\$1.28 each.

(d) To every plier, set of eight wrenches, or ratchet wrench shipped to a purchaser for resale, the manufacturer of George J. Steine & Co. shall attach a

tag or label which plainly states the retail ceiling price.

(e) At the time of or prior to the first invoice to each purchaser for resale of an article covered by this revised order, the seller shall notify the purchaser for resale of the maximum prices and conditions established by this revised order for such resales. This notice may be given in any convenient form.

(f) This revised order may be revoked or amended by the Price Administrator at any time.

This revised order shall become effective November 2, 1944.

Issued this 1st day of November 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-16790; Filed, Nov. 1, 1944;
11:57 a. m.]

[MPR 188, Order 46 Under 2d Rev. Order A-3]

NATIONAL SAFETY DEVICE CO.

ADJUSTMENT OF MAXIMUM PRICES

For the reasons set forth in the opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, the Stabilization Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328, it is ordered:

(a) *Manufacturer's maximum prices.* National Safety Device Company, 1039 North Crosby Street, Chicago, Illinois, for all sales and deliveries of the pumpless blow torches of its manufacture, may add the following increases to its maximum net selling prices in effect prior to the effective date of this order, resulting in the following adjusted prices:

Model	Increase	Adjusted price
#100.....	\$1.05 1.24	\$3.16 5.79
#200.....		

These increases may be made and collected only if separately stated. The adjusted prices are subject to the manufacturer's customary terms, discounts, allowances, and other price differentials in effect during March 1942 on sales to each class of purchaser.

(b) *Maximum prices of purchasers for resale.* Any purchaser for resale, who handles the pumpless blow torches for which the manufacturer's maximum prices have been adjusted as provided in paragraph (a) in the course of their distribution from the manufacturer to the user, may add to his properly established maximum prices in effect immediately prior to the effective date of this order, the dollars-and-cents amount of the adjustment charge which he is required to pay to the manufacturer, provided such amount is separately stated. Such adjusted prices are subject to the seller's customary discounts, allowances, and other price differentials in effect during March 1942 on sales to each class of purchaser.

(c) *Notification.* At the time of or before the first invoice to each purchaser for resale or user of an article covered by this order, at an adjusted price permitted by this order, the seller must furnish the purchaser with a written notice giving the number of this order and fully explaining its terms and conditions.

(d) *Profit and loss statement.* After the effective date of this order, National Safety Device Company shall submit to the Office of Price Administration, Washington, D. C., a detailed quarterly profit and loss statement within thirty days after the close of each quarter.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective on the 2d day of November 1944.

Issued this 1st day of November 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-16791; Filed, Nov. 1, 1944;
11:56 a. m.]

gional Administrator of Region I of the Office of Price Administration by Article III, section 15, Appendix K (r) (3) and (4) of Maximum Price Regulation No. 426, *It is hereby ordered:*

(a) Order No. G-10 under Maximum Price Regulation No. 426, Article III, section 15, Appendix K (r) (3) and (4) is hereby revoked subject to the provisions of Supplementary Order 40.

This amendment shall become effective October 11, 1944.

(56 Stat. 23, 765, 57 Stat. 566, Pub. Law 383, 78th Cong., E.O. 9250, 7 F.R. 7871, E.O. 9328, 8 F.R. 4681)

Issued this 11th day of October 1944.

ELDON C. SHOUP,
Regional Administrator.

Approved:

DALLAS E. W. GALBRAITH,
Acting Regional Director of
Food Distribution.

[F. R. Doc. 44-16728; Filed, Oct. 31, 1944;
12:12 p. m.]

[Detroit Order G-2 Under MPR 426,
Revocation]

CITRUS FRUITS IN WAYNE COUNTY, MICH.

Pursuant to the Emergency Price Control Act of 1942, as amended, The Stabilization Act of 1942, as amended, Executive Orders 9250 and 9328, Revised General Order No. 51, and Region III Second Revised Delegation Order No. 1-A, and for the reasons set forth in the accompanying opinion, *It is hereby ordered,* That:

(1) Order G-2 under Maximum Price Regulation No. 426, Order Adjusting Maximum Wholesale Prices of Citrus Fruits Sold in Wayne County, Michigan, is hereby revoked. This revocation shall become effective on October 24, 1944.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 23d day of October 1944.

W. E. FITZGERALD,
District Director.

[F. R. Doc. 44-16725; Filed, Oct. 31, 1944;
12:11 p. m.]

[Region IV Order G-8 Under MPR 188]

ZACHRY MFG. CO.

APPROVAL OF MAXIMUM PRICES

Order No. G-8 under Maximum Price Regulation No. 188, Zachry Manufacturing Company, Atlanta, Georgia, Docket No. IV-188-44.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator for Region IV of the Office of Price Administration by § 1499.161 (a) (2) of Maximum Price Regulation No. 188, *It is hereby ordered:*

(a) That on and after the effective date of this order, Zachry Manufacturing Company of Atlanta, Georgia, here-

Regional and District Office Orders.

[Region I Order G-10 Under MPR 426,
Revocation]

TABLE GRAPES IN BOSTON REGION

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Re-

inafter referred to as applicant, may sell and deliver mops and mop heads manu-

factured by applicant at prices not in excess of the following schedule:

Per Dozen	*Perfection "G" Grade Ply Yarn	*Perfection "L" Grade Single Ply	Mop Heads "G" Grade Ply Yarn	**Try-me "G" Grade Ply Yarn	Mop Heads Perfection "L" Grade Single Ply
6-ounce.....	\$3.00	\$2.40	\$2.10	\$3.20	\$1.40
8-ounce.....	3.40	2.60	2.45	3.55	1.80
10-ounce.....	3.85	2.90	2.90	3.95	2.15
12-ounce.....	4.15	3.10	3.30	4.30	2.40
14-ounce.....	4.50	3.35	3.90	4.70	2.65
16-ounce.....	4.95	3.60	4.40	5.00	2.95
18-ounce.....	5.50	3.80	4.95	5.45	3.20
20-ounce.....	6.00	4.10	5.45	5.85	3.55
24-ounce.....	7.00	4.60	6.60	6.75	4.25
30-ounce.....	8.50	5.50	7.90	8.20	5.35
32-ounce.....	8.90	5.80	8.40	8.75	5.75

*Made stationary on handle.

**With detachable handle.

Bath mops with 24" handle, \$2.70 per dozen.

(b) That all freight allowances, other allowances, discounts, differentiations in classes of purchasers, and other differentials customarily made by applicant shall be maintained.

(c) That any reseller in Region IV purchasing cotton yarn mops or mop heads from the applicant for resale is hereby permitted to increase his present maximum price by an amount not to exceed the increase in his cost resulting from this order.

(d) Upon the first sale after this order to each purchaser of its mops and mop heads who purchases for resale, the applicant shall notify such purchaser of the amount of increase in price resulting from this order, and of the provisions of paragraph (c) of this order.

(e) Except as otherwise provided herein, all transactions of applicant subject to this order remain subject to the provisions of Maximum Price Regulation No. 188, together with all amendments which heretofore have been or hereafter may be issued.

(f) All requests made by applicant and not specifically herein granted are hereby denied, subject to applicant's right to file a request for review in accordance with the provisions of Revised Procedural Regulation No. 1, copy of which will be sent upon request.

(g) This order may be revoked, corrected or amended by the Office of Price Administration at any time.

This order shall become effective October 27, 1944.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 25th day of October 1944.

ALEXANDER HARRIS,
Regional Administrator.

[F. R. Doc. 44-16730; Filed, Oct. 31, 1944;
12:13 p. m.]

[Region IV Order G-26 Under RMFR 122,
Amdt. 1]

SOLID FUELS IN ATLANTA REGION

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the Regional Administrator, Region

IV, Office of Price Administration, by § 1340.260 of Revised Maximum Price Regulation No. 122, Order No. G-26 under Revised Maximum Price Regulation No. 122, Solid Fuels Sold and Delivered by Dealers, issued by the Atlanta Regional Office on October 14, 1944, is amended in the following respects:

1. In section (c) (1) (i) under Resultants and Screenings 3 inches and under (size group 17 and 18, washed) the mine index number reading "1240" is amended to read "1420."

This amendment shall become effective as of October 5, 1944.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued October 25, 1944.

ALEXANDER HARRIS,
Regional Administrator.

[F. R. Doc. 44-16729; Filed, Oct. 31, 1944;
12:13 p. m.]

[Region VII Rev. Order G-4 Under MPR 329,
Amdt. 2]

FLUID MILK IN MONTANA

Pursuant to the Emergency Price Control Act of 1942, as amended, the Stabilization Act of 1942, as amended, and § 1351.408 (a) (b) (c) (d) (e) of Maximum Price Regulation No. 329, as amended, and for the reasons set forth in the accompanying opinion, this Amendment No. 2 is issued.

1. Subparagraph (3) of paragraph (h) is amended by changing the period at the end thereof to a comma and adding the following: "and the municipality of Forsyth, and a distance of twelve miles beyond the corporate limits thereof at all points."

2. Subparagraph (4) of paragraph (h) is amended by deleting from the thirteenth line thereof the words, "Forsyth in Rosebud County", and by changing the period at the end thereof to a comma and adding the following: "and the municipalities of Deer Lodge in Powell County, Livingston in Park County, Bozeman in Gallatin County, and Red Lodge in Carbon County, including a distance of five miles beyond the corporate limits of each of said municipalities at all points."

3. Subparagraph (5) of paragraph (h), as amended by Amendment No. 1, is hereby further amended and rewritten to read as follows:

(5) "District No. 3" of the State of Montana means the municipality of Glendive in Dawson County (including a distance of five miles beyond the corporate limits thereof at all points).

4. Subparagraph (6) of paragraph (h) is deleted, and subparagraphs (7) and (8) are redesignated (6) and (7), respectively.

5. Said redesignated subparagraph (6) of paragraph (h) is amended by deleting from the first line thereof "No. 5" and substituting therefor "No. 4", and by inserting after the word "Powell" in the eighth line from the end of said subparagraph the following: "(except the municipality of Deer Lodge, and a distance of five miles beyond the corporate limits thereof at all points.)"

6. Effective date. This Amendment No. 2 shall become effective on October 10, 1944.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871, and E.O. 9328, 8 F.R. 4681)

Issued this 21st day of September 1944.

J. W. PENFOLD,
Acting Regional Administrator.

[F. R. Doc. 44-16731; Filed, Oct. 31, 1944;
12:13 p. m.]

[Region VII Order G-11 Under MPR 329,
Amdt. 4]

MILK IN WYOMING

Pursuant to the Emergency Price Control Act of 1942, as amended, the Stabilization Act of 1942, as amended, and § 1351.408 (a), (b), (c), (d), (e), of Maximum Price Regulation No. 329, as amended, and for the reasons set forth in the accompanying opinion, this Amendment No. 4 is issued.

1. Subparagraph (2) of paragraph (f) is amended by deleting the word "and" in the second line thereof and substituting therefor a comma, and by changing the period at the end thereof to a comma and adding the following: "Sweetwater, and that portion of Lincoln County lying south of a line drawn east and west through the intersection of U. S. Highway North 30 with the Idaho-Wyoming state line".

2. Subparagraph (3) of paragraph (f) is amended by deleting therefrom the words "Carbon" and "Sweetwater", and by inserting immediately after the word "Lincoln" the following: "(except that portion of Lincoln County lying south of a line drawn east and west through the intersection of U. S. Highway North 30 with the Idaho-Wyoming state line)".

3. Paragraph (f) is amended by adding thereto a new subparagraph designated (6), to read as follows:

(6) "District No. 5 of the State of Wyoming" means all of Carbon County.

4. Paragraph (c) is amended by adding thereto a new subparagraph designated (5), to read as follows:

(5) In District No. 5—\$1.00 per pound of butterfat content, except during the months of June, July, and August, during which three months period the maximum price shall be 83¢ per pound of butterfat content.

5. Effective date. This Amendment No. 4 shall become effective on October 10, 1944.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871, and E.O. 9328, 8 F.R. 4681)

Issued this 21st day of September 1944.

J. W. PENFOLD,
Acting Regional Administrator.

[F. R. Doc. 44-16732; Filed, Oct. 31, 1944;
12:13 p. m.]

[Region VII Rev. Order G-8 Under 18 (c),
Amtd. 2]

FLUID MILK IN WYOMING

Pursuant to the Emergency Price Control Act of 1942, as amended, the Stabilization Act of 1942, as amended, and § 1499.75 (a) (9) (i) (a) (1) (iv) of Supplementary Regulation 15 to the General Maximum Price Regulation, and for the reasons set forth in the accompanying opinion, this Amendment No. 2 is issued.

1. Paragraph (a) is amended by deleting the word "four" from the second line thereof and substituting therefor the word "six", and by deleting the word "and" immediately following "District No. 3" in the third line thereof and substituting a comma therefor, and by inserting immediately after "District No. 4" the following: "District No. 5, and District No. 6".

2. Paragraphs (f), (g), (h), (i), (j), (k), (l), (m), (n), (o), and (p) of Revised Order No. G-8 as amended are redesignated (h), (i), (j), (k), (l), (m), (n), (o), (p), (q), and (r), respectively, and two new paragraphs designated (f) and (g) are inserted immediately following paragraph (e), to read as follows:

(f) *Specific maximum prices in District No. 5.* From and after the effective date of this Amendment No. 2, the maximum prices for fluid milk sold and delivered at wholesale and retail in glass bottles or paper containers, and in bulk, in District No. 5 of the State of Wyoming shall be as follows:

	Grade	Whole-sale	Retail
In glass bottles or paper containers:			
1/2 pints	Approved	\$0.04	\$0.06
Pints	do	.06	.07
Quarts	do	.10 1/2	.12 1/4
1/2 gallons	do	.22	.24
Gallons	do	.41	.47
In bulk: Gallons	do	.39	

(g) *Specific maximum prices in District No. 6.* From and after the effective date of this Amendment No. 2, the maximum prices for fluid milk sold and delivered at wholesale and retail in glass bottles or paper containers, and in bulk,

in District No. 6 of the State of Wyoming shall be as follows:

	Grade	Whole-sale	Retail
In glass bottles or paper containers:			
1/2 pints	Approved	\$0.05	\$0.07
Pints	do	.08	.09
Quarts	do	.13	.15
1/2 gallons	do	.25	.27
Gallons	do	.49	.56
In bulk: Gallons	do	.47	

now corrected by redesignating said "Definitions" paragraph (e).

2. Subparagraph (1) of paragraph (e) is amended by deleting therefrom the word "and" immediately preceding the name "Miles City" in the third line thereof and inserting in said third line immediately after said name "Miles City" the following: "and Forsyth".

3. Subparagraph (2) of paragraph (e) is amended by deleting from the second line thereof the words "and Forsyth" and by changing the period at the end of said subparagraph to a comma and adding the following: "and the municipalities of Shelby, Cut Bank, Belt, Phillipsburg, Deer Lodge, and Havre, and a distance of five miles beyond the corporate limits of each of said municipalities at all points, and the municipality of Hardin, and a distance of twelve miles beyond the corporate limits thereof at all points."

4. Subparagraph (3) of paragraph (e) is amended to read as follows:

(3) "District No. 3" means all that area in the State of Montana contained within the counties of Beaverhead, Cascade (except that portion contained within the municipalities of Great Falls and Belt, and a distance of five miles beyond the corporate limits of each of said municipalities at all points), Custer (except that portion contained within the municipality of Miles City, and a distance of five miles beyond the corporate limits thereof at all points), Deer Lodge (except that portion contained within the municipality of Anaconda, and a distance of five miles beyond the corporate limits thereof at all points), Fergus, Flathead, Glacier (except that portion contained within the municipality of Cut Bank, and a distance of five miles beyond the corporate limits thereof at all points), Hill (except that portion contained within the municipality of Havre, and a distance of five miles beyond the corporate limits thereof at all points), Lewis and Clark (except that portion contained within the municipalities of Helena and East Helena, and a distance of five miles beyond the corporate limits of each of said municipalities at all points), Lincoln, Musselshell, Pondera, Prairie, Sheridan, Silver Bow (except that portion contained within the municipality of Butte, and a distance of five miles beyond the corporate limits thereof at all points), Toole (except that portion contained within the municipality of Shelby, and a distance of five miles beyond the corporate limits thereof at all points), and Valley, and the municipalities of Billings, Laurel, Columbus, Malta, Saco, and Scobey, and a distance of twelve miles beyond the corporate limits of each of said municipalities at all points, and the municipalities of Circle, Phillipsburg, Bozeman, Livingston, and Red Lodge, and a distance of five miles beyond the corporate limits of each of said municipalities at all points, and the municipality of Wibaux and a distance of three miles beyond the corporate limits thereof at all points.

5. Subparagraph (4) of paragraph (e) is deleted.

Issued this 21st day of September 1944.

J. W. PENFOLD,
Acting Regional Administrator.

[F. R. Doc. 44-16733; Filed, Oct. 31, 1944;
12:14 p. m.]

[Region VII Order G-1 Under SR 15, Amdt. 3]

FLUID MILK IN MONTANA

Pursuant to the Emergency Price Control Act of 1942, as amended, the Stabilization Act of 1942, as amended, and § 1499.75 (a) (9) (i) (a) (1) (iv) of Supplementary Regulation 15 to the General Maximum Price Regulation, and for the reasons set forth in the accompanying opinion, this Amendment No. 3 is issued.

1. Due to a typographical error in the original draft of Order No. G-1, the "Definitions" paragraph was erroneously designated (b), whereas it should have been designated (e), and that error is

FEDERAL REGISTER, Thursday, November 2, 1944

6. Subparagraph (5) of paragraph (e) is redesignated (4), and is amended to read as follows:

(4) "District No. 4" means all of that area within the state of Montana contained within the counties of Big Horn (except the municipality of Hardin, and a distance of twelve miles beyond the corporate limits thereof at all points), Blaine, Broadwater, Carbon (except the municipality of Red Lodge, and a distance of five miles beyond the corporate limits thereof at all points), Carter, Chouteau, Daniels (except the municipality of Scobey, and a distance of twelve miles beyond the corporate limits thereof at all points), Dawson, Fallon, Gallatin (except the municipality of Bozeman, and a distance of five miles beyond the corporate limits thereof at all points), Garfield, Golden Valley, Granite (except the municipality of Phillipsburg, and a distance of five miles beyond the corporate limits thereof at all points), Jefferson, Judith Basin, Lake, Liberty, McCone (except the municipality of Circle and a distance of five miles beyond the corporate limits thereof at all points), Madison, Meagher, Mineral, Missoula (except the municipality of Seeley Lake, and a distance of five miles beyond the corporate limits thereof at all points), Park (except the municipality of Livingston, and a distance of five miles beyond the corporate limits thereof at all points), Petroleum, Phillips (except the municipalities of Malta and Saco, and a distance of twelve miles beyond the corporate limits of each of said municipalities at all points), Powder River, Powell (except the municipality of Deer Lodge, and a distance of five miles beyond the corporate limits thereof at all points), Ravalli, Richland (except the municipalities of Fairview and Sidney, and a distance of three miles beyond the corporate limits thereof at all points), Roosevelt, Rosebud (except the municipality of Forsyth, and a distance of three miles beyond the corporate limits thereof at all points), Sanders, Stillwater (except the municipality of Columbus, and a distance of twelve miles beyond the corporate limits thereof at all points), Sweet Grass, Teton, Treasure, Wheatland, Wibaux (except the municipality of Wibaux and a distance of three miles beyond the corporate limits thereof at all points), and Yellowstone (except the municipalities of Billings and Laurel, and a distance of twelve miles beyond the corporate limits thereof at all points).

7. Subparagraphs (6) and (7) of paragraph (e) are redesignated (5) and (6), respectively.

8. Effective date. This Amendment No. 3 shall become effective on October 10, 1944.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871, and E.O. 9328, 8 F.R. 4681)

Issued this 21st day of September 1944.

J. W. PENFOLD,
Acting Regional Administrator.

[F. R. Doc. 44-16734; Filed, Oct. 31, 1944;
12:14 p. m.]

[Region VIII Order G-5 Under MPR 188]
READY MIX CONCRETE IN DESIGNATED COUNTIES OF CALIFORNIA

For the reasons set forth in an accompanying opinion and pursuant to the authority conferred upon the Regional Administrator by § 1499.161 of Maximum Price Regulation Number 188, it is hereby ordered as follows:

(a) The adjusted maximum prices for sales of ready-mix concrete by producers in the counties of Los Angeles, San Bernardino, Riverside, Orange, and Kern, California, shall be the sum of such producers' present maximum prices plus an amount equal to 5¢ for each sack of Portland Cement entering into the particular mix delivered on each job.

This order may be amended, revoked, or corrected at any time.

This order shall become effective October 14, 1944.

Issued this 20th day of October 1944.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

CHARLES R. BAIRD,
Regional Administrator.

[F. R. Doc. 44-16727; Filed, Oct. 31, 1944;
12:12 p. m.]

[Region VIII Order G-99 Under 18 (c),
Amdt. 1]

BRICK IN DESIGNATED COUNTIES IN CALIFORNIA

For the reasons set forth in an accompanying opinion and pursuant to the authority conferred upon the Regional Administrator by § 1499.18c of the General Maximum Price Regulation, as amended, and reserved in Order No. 99 under § 1499.18 (c) of the General Maximum Price Regulation, Order No. 99 under § 1499.18 (c) of the General Maximum Price Regulation is hereby amended as follows:

Paragraph (a) is amended to read as follows:

(a) The adjusted maximum price for all sales of brick, produced by Remillard Dandini Company, by any dealer located in the counties of San Francisco, Alameda or Contra Costa shall be such dealer's maximum price for such sale as calculated under the provisions of the General Maximum Price Regulation (that is, the March 1942 price for the particular sale of the particular lot and type of bricks in the particular quantity to the particular customer) plus \$2.00 per thousand bricks: *Provided, however,* That such a price may not exceed (after trade and cash discounts):

(1) For yard sales, the dealers net acquisition cost plus \$3.00; or

(2) For delivered sales, the dealers net acquisition cost, plus \$3.00 per thousand bricks and plus the dealers March, 1942 differential for such delivered sales over yard sales. .

Paragraph (b) is amended to read as follows:

(b) The adjusted maximum price for all sales of brick, produced by Remillard Dandini Company, by any dealer located in the counties of San Mateo, Santa Clara, Santa Cruz, San Benito, Monterey or San Luis Obispo shall be such dealer's maximum price for such sale as calculated under the provisions of the General Maximum Price Regulation (that is, the March 1942 price for the particular sale of the particular lot and type of bricks in the particular quantity to the particular customer) plus \$1 per thousand bricks.

This amendment shall become effective immediately.

Issued this 19th day of October 1944.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

CHAS. R. BAIRD,
Regional Administrator.

[F. R. Doc. 44-16726; Filed, Oct. 31, 1944;
12:12 p. m.]

[Region IX Order AG-2 Under MPR 288]

HYDROGENATED SHORTENING IN ALASKA

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the Territorial Director of the Office of Price Administration in Alaska by § 1418.354 (a) of Maximum Price Regulation No. 288, *It is hereby ordered:*

(a) The maximum retail price of Crisco, Spry and Snowdrift hydrogenated shortening shown in § 1418.363 (j) Table VI of Maximum Price Regulation 288, when sold in Nome in 1 pound glass containers, is hereby adjusted and established at 38 cents.

(b) Unless previously revoked or amended, this order shall remain in effect until superseded by an appropriate amendment to Maximum Price Regulation 288.

This order shall become effective May 17, 1944.

A copy of this order has been filed today with the Territorial Office in Juneau where it is open to inspection by the public.

Issued this 17th day of May 1944.

MILDRED R. HERMANN,
Alaska Director.

[F. R. Doc. 44-16716; Filed, Oct. 31, 1944;
12:11 p. m.]

[Region IX Order AG-3 Under MPR 288]

BREAKFAST CEREALS IN ALASKA

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the Territorial Director of the Office of Price Administration in Alaska by § 1418.354 (a)

of Maximum Price Regulation No. 288, *It is hereby ordered:*

(a) The maximum retail prices of certain breakfast cereals shown in § 1413.363 (q) Table XVII of Maximum Price Regulation 288 are hereby adjusted and maximum retail prices for these items established as follows:

	Alber's rolled oats, no premium, 3 lbs.	Mother's rolled oats, no premium, 3 lbs.	Quaker's rolled oats, no premium, 3 lbs.
Ketchikan	\$0.44	\$0.45	\$0.45
Wrangell-Petersburg	.44	.45	.45
Juneau-Douglas	.45	.46	.46
Skagway-Haines	.45	.46	.46
Sitka	.46	.46	.46
Cordova-Valdez-Seward	.50	.50	.50
Kodiak	.51	.51	.51
Anchorage	.47	.47	.47
Palmer and points on Alaska R. R. north of Anchorage and south of Curry	.48	.49	.48
Fairbanks, Curry and points on Alaska R. R. north of Curry	.54	.55	.54
Nome	.59	.59	.59

(b) Unless previously revoked or amended, this order shall remain in effect until superseded by an appropriate amendment to Maximum Price Regulation No. 288.

This order shall become effective May 29, 1944.

A copy of this order has been filed today with the Territorial Office in Juneau where it is open to inspection by the public.

Issued this 29th day of May 1944.

MILDRED R. HERMANN,
Alaska Director.

[F. R. Doc. 44-16717; Filed, Oct. 31, 1944;
12:10 p. m.]

[Region IX Order AG-4 Under MPR 288]
CANNED BEEF, PORK AND POULTRY PRODUCTS IN ALASKA

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the Territorial Director of the Office of Price Administration in Alaska by § 1418.354 (a) of Maximum Price Regulation No. 288, *It is hereby ordered:*

(a) The maximum retail price for Wilson's certified tamales, 9 1/4 oz. glass, shown in § 1418.363 (x) Table XXIV, is hereby adjusted and the maximum price for this item established as follows:

Ketchikan	Wrangell-Petersburg	Juneau-Douglas	Skagway-Haines	Sitka	Cordova-Valdez-Seward	Anchorage-Palmer	Fairbanks	Nome
0.23	0.23	0.23	0.23	0.24	0.26	0.28	0.25	

(b) Unless previously revoked or amended, this order shall remain in effect until superseded by an appropriate amendment to Maximum Price Regulation 288.

This order shall become effective June 2, 1944.

A copy of this order has been filed today with the Territorial Office in Juneau where it is open to inspection by the public.

Issued this 2d day of June 1944.

MILDRED R. HERMANN,
Alaska Director.

[F. R. Doc. 44-16724; Filed, Oct. 31, 1944;
12:10 p. m.]

[Region IX Order AG-5 Under MPR 288]

CERTAIN BREAKFAST CEREALS IN ALASKA

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the Territorial Director of the Office of Price Administration in Alaska by § 1418.354 (a) of Maximum Price Regulation No. 288, *It is hereby ordered:*

(a) The maximum retail prices of certain breakfast cereals shown in § 1418.363

(q) Table XVII of Maximum Price Regulation 288 are hereby adjusted and maximum prices for these items established as follows:

	Alber's rolled oats premium china, 3 lbs.	Mother's rolled oats premium china, 3 lbs.
Ketchikan	\$0.52	\$0.52
Wrangell-Petersburg	.53	.53
Juneau, Douglas	.53	.53
Skagway-Haines	.54	.54
Sitka	.54	.54
Cordova-Valdez-Seward	.58	.58
Kodiak	.59	.59
Anchorage	.56	.56
Palmer	.57	.57
Fairbanks	.64	.64
Nome	.66	.66

(b) Unless previously revoked or amended, this order shall remain in effect until superseded by an appropriate amendment to Maximum Price Regulation 288.

This order shall become effective June 6, 1944.

A copy of this order has been filed today with the Territorial Office in Juneau where it is open to inspection by the public.

Issued this 6th day of June 1944.

MILDRED R. HERMANN,
Alaska Director.

[F. R. Doc. 44-16718; Filed, Oct. 31, 1944;
12:10 p. m.]

[Region IX Order AG-6 Under MPR 288]

CERTAIN BREAKFAST CEREALS IN ALASKA

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the Territorial Director of the Office of Price Administration in Alaska by § 1418.354 (a) of Maximum Price Regulation No. 288, *It is hereby ordered:*

(a) The maximum prices of certain breakfast cereals shown in § 1418.363 (q) Table XVII of Maximum Price Regula-

tion 288 are hereby adjusted and maximum prices for these items established as follows:

	Alber's rolled oats (9 lbs.)	Sperry's rolled oats (9 lbs.)
Ketchikan	\$0.77	\$0.77
Wrangell-Petersburg	.79	.79
Juneau-Douglas	.80	.80
Skagway-Haines	.81	.81
Sitka	.82	.82
Cordova-Valdez-Seward	.86	.86
Kodiak	.88	.88
Anchorage	.88	.88
Palmer and points on Alaska R. R. north of Anchorage and south of Curry	.91	.91
Fairbanks, Curry and points on Alaska R. R. north of Curry	1.04	1.04
Nome	1.03	1.03

(b) Unless previously revoked or amended, this order shall remain in effect until superseded by an appropriate amendment to Maximum Price Regulation 288.

This order shall become effective June 10, 1944.

MILDRED R. HERMANN,
Alaska Director.

[F. R. Doc. 44-16719; Filed, Oct. 31, 1944;
12:10 p. m.]

[Region IX Order AG-7 Under MPR 288]

SOAP POWDERS IN ALASKA

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the Territorial Director of the Office of Price Administration in Alaska by § 1418.354 (a) of Maximum Price Regulation 288, *It is hereby ordered:*

(a) The maximum prices of Fels Naphtha soap powder, 21 oz. box, shown in § 1418.363 (s) Table XIX of Maximum Price Regulation 288 are hereby adjusted and maximum prices for this item established as follows:

Ketchikan	Wrangell, Petersburg	Juneau, Douglas	Skagway, Haines	Sitka	Cordova, Valdez, Seward	Kodiak	Nome
0.33	0.33	0.34	0.35	0.35	0.36	0.40	0.41

(b) Unless previously revoked or amended, this order shall remain in effect until superseded by an appropriate amendment to Maximum Price Regulation 288.

This order shall become effective July 13, 1944.

A copy of this order has been filed today with the Territorial Office in Juneau where it is open to inspection by the public.

FEDERAL REGISTER, Thursday, November 2, 1944

Issued this 13th day of July 1944.

MILDRED R. HERMANN,
Alaska Director.

[F. R. Doc. 44-16720; Filed, Oct. 31, 1944;
12:10 p. m.]

[Region IX Order AG-8 Under MPR 288]

CANNED FRUIT IN ALASKA

For the reasons set forth in an opinion issued simultaneously herewith, and un-

der the authority vested in the Territorial Director of the Office of Price Administration in Alaska by § 1418.354 (a) of Maximum Price Regulation No. 288, *It is hereby ordered:*

(a) The maximum price for canned grapefruit (Red & White, Fancy, 1 lb. 4 oz. or No. 2 container), shown in § 1418.363 (1), Table XII, is hereby adjusted and maximum prices for this item by localities established as follows:

Ketchikan	Wrangell, Petersburg	Juneau, Douglas	Skagway, Haines	Sitka	Cordova, Valdez, Seward	Kodiak	Anchorage	Palmer	Fairbanks	Nome
\$0.26	\$0.26	\$0.26	\$0.26	\$0.27	\$0.27	\$0.28	\$0.29	\$0.30	\$0.32	\$0.28

(b) Unless previously revoked or amended, this order shall remain in effect until superseded by an appropriate amendment to Maximum Price Regulation 288.

This order shall become effective September 13, 1944.

A copy of this order has been filed today with the Territorial Office in Juneau where it is open to inspection by the public.

Issued this 13th day of September 1944.

DONALD J. O'CONNOR,
Acting Alaska Director.

[F. R. Doc. 44-16721; Filed, Oct. 31, 1944;
12:09 p. m.]

[Region IX Order AG-9 Under MPR 288]

OSCAR SAMUELSON

ADJUSTMENT OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the Territorial Director of the Office of Price Administration in Alaska by § 1418.354 (a) of Maximum Price Regulation No. 288, *It is hereby ordered:*

(a) Specific authorization is hereby granted to Oscar Samuelson of Bethel, Alaska, to increase the maximum prices established for Zone 3 by § 1418.363 (v), Table XXII of Maximum Price Regulation 288 for the packaged distilled spirits and wines listed in the annexed Schedule I by the applicable amount set forth below:

Bottle size:	Permitted increase per bottle (Cents)
Tenth	40
Pint	50
Fifth	70
Quart	85

(b) Unless previously revoked or amended, this order shall remain in effect until superseded by an appropriate amendment to Maximum Price Regulation 288.

This order shall become effective September 13, 1944.

A copy of this order has been filed today with the Territorial Office in Juneau where it is open to inspection by the public.

Issued this 13th day of September 1944.

DONALD J. O'CONNOR,
Acting Alaska Director.

SCHEDULE I

RUM

Brand	Proof	Bottle size	Zone 3 price
Casa-Blanca.....	86	Fifth.....	\$4.20
Old St. Croix.....	86	Pint.....	3.10

WHISKEY—BOURBON

Walker's De Luxe.....	90	Fifth.....	\$4.20
Walker's De Luxe.....	90	Pint.....	2.65

WHISKEY—CANADIAN

Canadian Club.....	90.4	Pint.....	\$3.90
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WHISKEY—SCOTCH

Black & White—8 yrs....	86.8	Fifth.....	\$6.35
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WHISKEY—SPIRIT BLENDS

Calvert Special.....	86.8	Fifth.....	\$4.15
Gallagher & Burton.....	86.8	Fifth.....	4.30
Imperial.....	86	Pint.....	2.65
Schenley Reserve.....	86	Fifth.....	5.20
Seagram's 5-Crown.....	86.8	Fifth.....	4.15

STILL WINES—PORT

Cresta Blanca.....		Fifth.....	\$1.35
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[F. R. Doc. 44-16722; Filed, Oct. 31, 1944;
12:09 p. m.]

[Region IX Order AG-11 Under MPR 288]

COFFEE IN ALASKA

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the Territorial Director of the Office of Price Administration in Alaska by § 1418.354 (a) of Maximum Price Regulation 288, *It is hereby ordered:*

(a) The maximum price for Hills Brothers Coffee, 2 lb. glass, for sale in Sitka, shown in § 1418.363 (t), Table XX, is hereby adjusted and established at 81 cents.

(b) Unless previously revoked or amended, this order shall remain in effect until superseded by an appropriate amendment to Maximum Price Regulation 288.

This order shall become effective October 2, 1944.

A copy of this order has been filed today with the Territorial Office in Juneau where it may be inspected by the public.

Issued this 2d day of October 1944.

DONALD J. O'CONNOR,
Acting Alaska Director.

[F. R. Doc. 44-16723; Filed, Oct. 31, 1944;
12:09 p. m.]

LIST OF COMMUNITY CEILING PRICE ORDERS

The following orders under Rev. General Order 51 were filed with the Division of the Federal Register on October 27, 1944.

REGION II

Altoona Order 1-F, Amendment 28, covering fresh fruits and vegetables in Altoona, filed 4:32 p.m.

Altoona Order 1-F, Amendment 29, covering fresh fruits and vegetables in Altoona, filed 4:32 p.m.

Binghamton Order 2-F, Amendment 6, covering fresh fruits and vegetables in certain counties in the State of New York, filed 4:44 p.m.

Pittsburgh Order 1-F, Amendment 29, covering fresh fruits and vegetables in certain counties in Pennsylvania, filed 4:34 p.m.

REGION III

Lexington Order 1-F, Amendment 53, covering community food prices in Fayette County, Ky., filed 4:33 p.m.

Lexington Order 2-F, Amendment 47, covering fresh fruits and vegetables in Kenton and Campbell Counties, Ky., filed 4:33 p.m.

Lexington Order 3-F, Amendment 44, covering fresh fruits and vegetables in Boyd County, Ky., filed 4:32 p.m.

REGION IV

Memphis Order 6-F, Amendment 8, covering fresh fruits and vegetables in the city of Memphis and the county of Shelby, Tenn., filed 4:31 p.m.

Montgomery Order 20-F, Amendment 1, covering fresh fruits and vegetables in Mobile County, Ala., filed 4:34 p.m.

Montgomery Order 21-F, Amendment 2, covering fresh fruits and vegetables in Montgomery County, Ala., filed 4:33 p.m.

Montgomery Order 22-F, Amendment 2, covering fresh fruits and vegetables in Houston County, Ala., filed 4:33 p.m.

Montgomery Order 24-F, Amendment 1, covering fresh fruits and vegetables in Dallas County, Ala., filed 4:34 p.m.

REGION V

Lubbock Order 3-F, Amendment 25, covering fresh fruits and vegetables in Lubbock, Tex., filed 4:43 p.m.

New Orleans Order 2-F, Amendment 43, covering fresh fruits and vegetables in St. Bernard and Jefferson, La., filed 4:43 p.m.

REGION VI

Duluth-Superior Order 1-F, Amendment 41, covering fresh fruits and vegetables in Duluth, Proctor, city and town of Superior, filed 4:46 p.m.

La Crosse Order 1-F, Amendment 40, covering fresh fruits and vegetables in Winona, La Crosse, Wisconsin; Sparta, Wis., filed 4:46 p. m.

La Crosse Order 3-F, Amendment 36, covering fresh fruits and vegetables in Eau Claire & Chippewa Falls, Wis., filed 4:46 p. m.

La Crosse Order 5-F, Amendment 35, covering fresh fruits and vegetables in city of Rochester, Minn., filed 4:46 p. m.

La Crosse Order 9, Amendment 6, covering community food prices in Richland, Grant, and Crawford Counties, Wis., filed 4:46 p. m.

La Crosse Order 12, Amendment 3, covering community food prices in certain counties in the State of Wisconsin, filed 4:46 p. m.

La Crosse Order 13, Amendment 3, covering community food prices in Fillmore, Olmsted, Warasha and Winona, Minn., filed 4:45 p. m.

North Platte Order 28, Amendment 2, covering community food prices in North Platte, Nebr., filed 4:44 p. m.

North Platte Order 29, Amendment 2, covering community food prices, in North Platte, Nebr., filed 4:44 p. m.

Peoria Order 3, Amendment 12, covering community food prices in Peoria, filed 4:45 p. m.

Peoria Order 11, Amendment 4, covering community food prices, in Peoria, filed 4:45 p. m.

Peoria Order 16, Amendment 1, covering community food prices in Peoria; filed 4:45 p. m.

Sioux City Order 2-F, Amendment 41, covering community food prices in Sioux City, Iowa, filed 4:43 p. m.

REGION VIII

Fresno Order 1-0, covering fresh eggs in Fresno, Kings, Tulare, Kern, Madera, Mariposa, Merced, and Stanislaus counties, filed 4:31 p. m.

Fresno Order 21, Amendment 2, covering fresh fruits and vegetables in Stanislaus county, filed 4:31 p. m.

Copies of any of these orders may be obtained from the OPA Office in the designated city.

ERVIN H. POLLACK,
Secretary.

[F. R. Doc. 44-16750; Filed, Oct. 31, 1944;
4:51 p. m.]

SECURITIES AND EXCHANGE COMMISSION.

[File Nos. 54-68, 59-55]

COMMUNITY GAS AND POWER CO., ET AL. ORDER PERMITTING DECLARATION TO BECOME EFFECTIVE AND APPROVING PLAN

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 30th day of October A. D. 1944.

In the matter of Community Gas and Power Company, American Gas and Power Company, File No. 54-68; Community Gas and Power Company, American Gas and Power Company, and the subsidiary companies thereof, File No. 59-55; respondents.

Community Gas and Power Company, a registered holding company, and American Gas and Power Company, a registered holding company and a subsidiary company of Community Gas and Power Company, having filed with this Commission Amendment No. 10 to their

amended plan heretofore filed pursuant to section 11 (e) of the Public Utility Holding Company Act of 1935 proposing, for the purpose of effecting compliance with section 11 (b) of the act, to sell all of the common stock of Bangor Gas Company consisting of 6,000 shares of \$80 par value each to Irwin E. Kane and Sidney A. Kane, of Providence, Rhode Island, for the sum of \$122,500 plus net earnings from August 31, 1944 to the date of closing, but not including any of such earnings declared and paid as dividends prior to such closing date, and to deposit such proceeds with the Trustee of American Gas and Power Company's debenture indenture as substitute collateral for the securities being sold; and

American Gas and Power Company having requested that the Commission's order conform to the formal requirements of section 1808 (f) of the Internal Revenue Code, as amended; and

A public hearing having been held on such matter after appropriate notice, the Commission having considered the record and having made and filed its findings and opinion herein:

It is ordered, That such amendment and declaration, as amended, be and the same is hereby permitted to become effective subject, however, to the terms and conditions prescribed in Rule U-24.

It is further ordered, That the plan proposing the sale of all the common stock of Bangor Gas Company consisting of 6,000 shares of \$80 par value each for the sum of \$122,500, as adjusted, and use of proceeds as described above is necessary or appropriate to effectuate the provisions of section 11 of the act and is fair and equitable to the persons affected.

By the Commission.

[SEAL] ORVAL L. DUBoIS,
Secretary.

[F. R. Doc. 44-16765; Filed, Nov. 1, 1944;
10:51 a. m.]

[File No. 1-300]

INTERSTATE HOSEY MILLS, INC.

ORDER SETTING HEARING ON APPLICATION

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 31st day of October, A. D. 1944.

The New York Curb Exchange, pursuant to section 12 (d) of the Securities Exchange Act of 1934 and Rule X-12D2-1 (b) promulgated thereunder, having made application to strike from listing and registration the Common Stock, No Par Value, of Interstate Hosiery Mills, Inc.:

The Commission deeming it necessary for the protection of investors that a hearing be held in this matter at which all interested persons be given an opportunity to be heard;

It is ordered, That the matter be set down for hearing at 10:00 a. m. on Monday, November 13, 1944, at the office of the Securities and Exchange Commission, 120 Broadway, New York, New York, and continue thereafter at such times and places as the Commission or its officer herein designated shall deter-

mine, and that general notice thereof be given; and

It is further ordered, That William J. Cogan, an officer of the Commission, be and he hereby is designated to administer oaths and affirmations, subpoena witnesses, compel their attendance, take evidence, and require the production of any books, papers, correspondence, memoranda or other records deemed relevant or material to the inquiry, and to perform all other duties in connection therewith authorized by law.

By the Commission.

[SEAL] ORVAL L. DUBoIS,
Secretary.

[F. R. Doc. 44-16763; Filed, Nov. 1, 1944;
10:51 a. m.]

[File Nos. 31-438; 60-7]

MANCHESTER GAS CO.

ORDER REVOKING PREVIOUS ORDER

At a regular session of the Securities and Exchange Commission, held at its office in the city of Philadelphia, Pennsylvania, on the 30th day of October 1944.

Manchester Gas Company ("Manchester") having filed an application pursuant to section 2 (b) of the Public Utility Holding Company Act of 1935 requesting the Commission to revoke its Order of April 4, 1940 declaring Manchester to be a subsidiary company of The United Gas Improvement Company ("U. G. I.") and The United Corporation ("United"); and

Manchester having in support of its application submitted a statement in the form of an affidavit setting forth information with respect to the consummation of a sale by U. G. I. to Manchester of all its holdings of securities issued by the latter (cf. Holding Company Act Release No. 5130), and the elimination of interlocking officers and directors as between Manchester and U. G. I.; and

It appearing to the Commission on the basis of the foregoing that there has been a sufficient change of circumstances to warrant the revocation of the order referred to above:

It is hereby ordered, That the Commission's Order of April 4, 1940 declaring Manchester to be a subsidiary of U. G. I. and United be, and hereby is, revoked and by virtue thereof, Manchester be, and hereby is, declared no longer to be a subsidiary company of U. G. I. or United.

By the Commission.

[SEAL] ORVAL L. DUBoIS,
Secretary.

[F. R. Doc. 44-16764; Filed, Nov. 1, 1944;
10:51 a. m.]

[File No. 70-969]

METROPOLITAN EDISON CO., ET AL.

SUPPLEMENTAL ORDER GRANTING APPLICATIONS AND DECLARATIONS TO BECOME EFFECTIVE

At a regular session of the Securities and Exchange Commission, held at its

office in the City of Philadelphia, Pa., on the 31st day of October 1944.

In the matter of Metropolitan Edison Company, Staten Island Edison Corporation, NY PA NJ Utilities Company, Denis J. Driscoll and Willard L. Thorp, trustees of Associated Gas and Electric Corporation, File No. 70-969.

Denis J. Driscoll and Willard L. Thorp, Trustees of Associated Gas and Electric Corporation, a registered holding company; NY PA NJ Utilities Company, a registered holding company and a subsidiary of Associated Gas and Electric Corporation; Metropolitan Edison Company and Staten Island Edison Corporation, public utility subsidiaries of NY PA NJ Utilities Company, having filed joint applications-declarations, and amendments thereto, pursuant to section 6 (a), 6 (b), 7, 12 (b), 12 (c), 12 (d), and 12 (f) of the Public Utility Holding Company Act of 1935, in which it was proposed, among other things, that Metropolitan Edison Company issue and sell, pursuant to the competitive bidding provisions of Rule U-50, \$24,500,000 principal amount of its First Mortgage Bonds, due 1974, and 125,000 shares of its \$100 par value Cumulative Preferred Stock; and

The Commission having, by order dated October 24, 1944, granted said applications, as amended, and permitted said declarations, as amended, to become effective, except as to the price to be paid for said First Mortgage Bonds and Cumulative Preferred Stock, the redemption prices thereof, the interest and dividend rates thereon, respectively, the underwriters' spreads and their allocation, and all legal fees and expenses of all counsel to be paid in connection with the proposed transactions, as to which matters jurisdiction was reserved; and

Metropolitan Edison Company having filed a further amendment to its application-declaration, as amended, in which it is stated that, in accordance with the permission granted by the said order of the Commission dated October 24, 1944, it has offered such First Mortgage Bonds and Cumulative Preferred Stock for sale pursuant to the competitive bidding requirements of Rule U-50 and has received the following bids:

Bidder	Price to the company	Interest or dividend rate	Cost to the company
		Percent	
Mellon Securities Corporation	100.312	2 1/2	2.8594401
Halsey, Stuart & Co., Inc.	100.309	2 1/2	2.8506892
Drexel & Co.	102.049	3	2.8972545

FOR THE PREFERRED STOCK

Smith, Barney & Co.	101.386	3.90	3.8466849
Drexel & Co.	100.629	3.90	3.8756223
Mellon Securities Corporation	100.550	3.90	3.8786673

Said amendment stating that Metropolitan Edison Company has accepted the bid of Mellon Securities Corporation for the First Mortgage Bonds and the bid of Smith, Barney & Co. for the Cumulative Preferred Stock, both as set out above, and that the First Mortgage Bonds

will be offered for sale to the public at a price of 101.375%, resulting in an underwriters' spread of 1.063%, and that the Cumulative Preferred Stock will be offered to the public at a price of \$102.625 per share, resulting in an underwriters' spread of \$1.239 per share; and

Metropolitan Edison Company having further amended its application-declaration to provide that its First Mortgage Bonds, Series E, 4%, due May 1, 1971, in the principal amount of \$4,684,000, will be redeemed not later than April 2, 1945, at the redemption price of 103 1/2% of the principal amount, and its First Mortgage Bonds, Series G, 4%, due May 1, 1965, in the principal amount of \$11,710,000, will be redeemed not later than May 2, 1945, at the redemption price of 103% of the principal amount; and

The Commission having examined said amendments and having considered the record herein, and finding no basis for imposing terms and conditions with respect to the price to be paid for said First Mortgage Bonds and Cumulative Preferred Stock, the redemption prices therefor, the interest and dividend rates thereon, respectively, and the underwriters' spreads and their allocation, and the dates of redemption of the First Mortgage Bonds of Metropolitan Edison Company to be redeemed:

It is ordered. That the jurisdiction heretofore reserved over the prices to be paid for said bonds and preferred stock, the redemption prices therefor, the interest and dividend rates thereon, respectively, and the underwriters' spreads and their allocation be, and the same hereby is, released, and said applications and declarations, as further amended, be, and the same hereby are, granted and permitted to become effective, subject, however, to the terms and conditions prescribed in Rule U-24.

It is further ordered. That the jurisdiction heretofore reserved over all legal fees and expenses of all counsel to be paid in connection with the proposed transactions be continued.

By the Commission.

[SEAL]

ORVAL L. DUBoIS,
Secretary.

[F. R. Doc. 44-16766; Filed, Nov. 1, 1944;
10:51 a. m.]

WAR MANPOWER COMMISSION.

LYNN, MASS., AREA

EMPLOYMENT STABILIZATION PROGRAM

The following employment stabilization program for the Lynn Area is hereby prescribed, pursuant to § 907.3 (g) of War Manpower Commission Regulation No. 7, "Governing Employment Stabilization Program", effective August 16, 1943 (8 F.R. 11338).

Sec.

1. Purpose.
2. Definitions.
3. Control of hiring and solicitation of workers.
4. Authority and responsibilities of Management-Labor Committee.
5. Encouragement of local initiative and use of existing hiring channels.
6. General.

7. Issuance of statements of availability of employers.
8. Issuance of statements of availability by United States Employment Service.
9. Referral in case of under-utilization.
10. Workers who may be hired only upon referral by the United States Employment Service.
11. Hiring contrary to the program.
12. Exclusions.
13. Appeals.
14. Statements of availability.
15. Solicitation of workers.
16. Hiring.
17. Representation.
18. General referral policies.
19. Effective date.

SECTION 1. Purpose. This employment stabilization program has been adopted in the Lynn Area, with the approval of the Regional Director. Its purpose is to assist the War Manpower Commission in bringing about, by measures equitable to labor and management and necessary for the effective prosecution of the war:

(a) The elimination of wasteful labor turnover in essential activities,

(b) The reduction of unnecessary labor migration,

(c) The direction of the flow of scarce labor where most needed in the war program,

(d) The maximum utilization of manpower resources.

SEC. 2. Definitions. As used in this employment stabilization program:

(a) The "Lynn Area" is comprised of the territory designated in Appendix A.

(b) "Agriculture" means those farm activities carried on by farm owners or tenants on farms in connection with the cultivation of the soil, the harvesting of crops, or the raising, feeding, or management of livestock, bees and poultry, and shall not include any packing, canning processing, transportation or marketing of articles produced on farms unless performed or carried on as an incident to ordinary farming operations as distinguished from manufacturing or commercial operations.

(c) "State" includes Alaska, Hawaii, and the District of Columbia.

(d) "New employee" means any individual who has not been in the employment of the hiring employer at any time during the preceding 30 day period. For the purpose of this definition, employment of less than seven days' duration and employment which is supplemental to the employee's principal work shall be disregarded.

(e) "Controlled occupation" means any occupation found by the Area Manpower Director for the Lynn Area, with the approval of the Regional Director, to be either:

(1) One of a category of occupations in an activity in which manpower shortages threaten critically needed production in such area, or

(2) An occupation in which the demand for workers in such area exceeds the available supply.

A list of the "controlled occupations" designated by the Area Manpower Director is attached to this program as Appendix B and may be amended from time to time by the Area Manpower Di-

rector and with the approval of the Regional Director.

(f) "Essential activity" means any activity included in the War Manpower Commission List of Essential Activities. (9 F.R. 3439)

(g) "Locally needed activity" means any activity approved by the Regional Manpower Director as a locally needed activity.

(h) The terms "employment" and "work" as applied to an individual engaged in principal and supplementary employment means his principal employment.

SEC. 3. Control of hiring and solicitation of workers. All hiring and solicitation of workers in, or for work in, the Lynn Area shall be conducted in accordance with this employment stabilization program.

This shall include any hiring or solicitation, whether conducted within or outside the area, if the work is to be performed within the area.

SEC. 4. Authority and responsibilities of management-labor committee. The Area Management-Labor War Manpower Committee for the Lynn Area is authorized to consider questions of policy, standards, and safeguards in connection with administration of this employment stabilization program, and to make recommendations concerning the same to the Area Manpower Director.

It shall be the responsibility of this committee to hear and decide appeals or to delegate such responsibility to an Area Appeals Committee in accordance with regulations of the War Manpower Commission governing appeals.

SEC. 5. Encouragement of local initiative and use of existing hiring channels. The War Manpower Commission shall encourage local initiative and cooperative efforts to the end that the maximum use shall be made of existing hiring channels, such as private employers, labor organizations, professional organizations, schools, colleges, technical institutions and government agencies. This section shall not be interpreted or deemed to be a waiver of any of the provisions of this program.

SEC. 6. General. A new employee, who during the preceding 60-day period was engaged in an essential or locally needed activity, may be hired only if such hiring would aid in the effective prosecution of the war. Such hiring shall be deemed to aid in the effective prosecution of the war only if:

(a) Such individual is hired for work in an essential or locally needed activity or for work to which he has been referred by the United States Employment Service, and

(b) Such individual presents a statement of availability from his last employment in an essential or locally needed activity, or is referred by the United States Employment Service of the War Manpower Commission, or is hired with its consent, as provided herein.

SEC. 7. Issuance of statements of availability by employers. An individual whose last employment is or was in an essential or locally needed activity shall receive a statement of availability from his employer if:

(a) He has been discharged, or his employment has been otherwise terminated by his employer, or

(b) He has been laid off for an indefinite period, or for a period of seven or more days, or

(c) Continuance in his employment would involve undue personal hardship, or

(d) Such employment is or was at a wage or salary or under working conditions below standards established by State or Federal law or regulation, or

(e) Such employment is or was at a wage or salary below a level established or approved by the National War Labor Board (or other agency authorized to adjust wages or approve adjustments thereof) as warranting adjustment, and the employer has failed to adjust the wage in accordance with such level or to apply to the appropriate agency for such adjustment or approval thereof.

SEC. 8. Issuance of statements of availability by United States Employment Service. (a) A statement of availability shall be issued promptly to an individual when any of the circumstances set forth in section 7 is found to exist in his case. If the employer fails or refuses to issue a statement of availability to an individual entitled to such statement, the United States Employment Service of the War Manpower Commission, upon finding that the individual is entitled thereto, shall issue a statement of availability to the individual. Pending such finding the United States Employment Service shall either request the worker to remain on his present job, or to return to it in instances where the worker has voluntarily terminated his employment.

When none of the circumstances set forth in section 7 is found to exist in an individual's case, the United States Employment Service shall attempt to persuade such individual to return to his former employment in an essential or locally needed activity providing the employer will reemploy the worker without prejudice.

(b) A statement of availability shall be issued by the United States Employment Service to any individual in the employ of an employer who the War Manpower Commission finds, after notice, hearing and final decision, has not complied with any War Manpower Commission employment stabilization program, regulation, or policy, or has not made a reasonable effort to comply with a recommendation of a duly authorized representative of the War Manpower Commission with respect to the more effective utilization of labor and for so long as such employer continues his non-compliance after such finding.

An employer who continues to be in non-compliance after notice, hearing and final decision, may not hire any new employee, whether or not such person has a statement of availability.

(c) A temporary statement of availability, valid for a period not in excess of 60 days, may be issued by the United States Employment Service to an individual at his request, who because of seasonal or temporary lay-off is not employed at his customary work. In such cases, an employer may hire such a worker for the period designated in the temporary statement of availability and shall release such worker at the end of such period. Upon release of such a worker, the employer shall not issue a statement of availability to him but shall instruct him to return to his former employment.

Nothing in this section shall be construed to supersede the provisions of section 10 (c).

A temporary statement of availability shall contain in addition to the provisions of the regular form, the words:

The employer hiring the above-named worker shall not retain such worker in his employ after _____ and shall not issue a statement of availability to such worker upon his release.

SEC. 9. Referral in case of under-utilization. If an individual is employed at less than full time or at a job which does not utilize his highest recognized skill for which there is a need in the war effort, the United States Employment Service may, upon his request, refer him to other available employment in which it finds that the individual will be more fully utilized in the war effort.

The United States Employment Service, shall, upon the request of an individual, refer him to a former employer when it is found that he has received from such employer with whom he has reemployment rights under an existing collective bargaining agreement, a notice that he must return to his former employment in order to preserve his seniority status.

SEC. 10. Workers who may be hired only upon referral by the United States Employment Service. Under the circumstances set forth below, a new employee may not be hired solely upon presentation of a statement of availability, but may be hired only by referral by, or in accordance with arrangements with, the United States Employment Service:

(a) The new employee is to be hired for work in a controlled occupation (see Appendix B) or his statement of availability indicates that his last employment was in such an occupation, or

(b) The new employee has not lived or worked in the locality of the new employment throughout the preceding 30-day period (in such cases the local office of the United States Employment Service shall require that the worker obtain a statement of availability from the local office of the United States Employment Service, serving the locality where such worker was most recently employed, except that the latter local office may delegate authority to issue a statement of availability to such a worker in a specific case to the office where the referral is to be made), or

(c) The new employee's last regular employment was in agriculture and he is

to be hired for non-agricultural work: *Provided*, That no such individual shall be referred to non-agricultural work except after consultation with a designated representative of the War Food Administration: *And provided further*, That such an individual may be hired for non-agricultural work for a period of not to exceed six weeks without referral or presentation of a statement of availability.

(d) The new employee is a male worker.

SEC. 11. Hiring contrary to the program. An employer shall, upon written request of the United States Employment Service, promptly release from employment any worker hired in violation of this program.

SEC. 12. Exclusions. No provisions of this employment stabilization program shall be applicable to:

(a) The hiring of a new employee for agricultural employment, or

(b) The hiring of a new employee for work of less than seven days' duration, or for work which is supplementary to the employee's principal work; but such work shall not constitute the individual's "last employment" for the purposes of this program, unless the employee is customarily engaged in work of less than seven days' duration, or

(c) The hiring of an employee in any Territory or possession of the United States, except Alaska and Hawaii, or

(d) The hiring by a foreign, State, county, or municipal government, or their political subdivisions or their agencies and instrumentalities, or to the hiring of any of their employees, unless such foreign State, county, or municipal government or political subdivision or agency or instrumentality has indicated its willingness to conform, to the maximum extent practicable under the Constitution and laws applicable to it, with the program, or

(e) The hiring of a new employee for domestic service or to the hiring of a new employee whose last regular employment was in domestic service, or

(f) The hiring of a school teacher for vacation employment or the rehiring of a school teacher for teaching at the termination of the vacation period.

SEC. 13. Appeals. Any worker may appeal from any act or failure to act by the War Manpower Commission under this employment stabilization program, in accordance with regulations and procedures of the War Manpower Commission.

SEC. 14. Statements of availability. A statement of availability issued to an individual pursuant to this program shall contain only the individual's name, address, social security account number, if any, the name and address of the issuing employer, or War Manpower Commission officer and office, the date of issuance, a statement as to whether or not the individual's last employment was in a controlled occupation, and such other information not prejudicial to the employee in seeking new employment as may be authorized or required by the War Manpower Commission.

Statements of availability received by any employer pursuant to this program shall be retained during the continuance of this program and for a reasonable time thereafter. They shall be made accessible to the Area Manpower Director or his representative upon request.

SEC. 15. Solicitation of workers. No employer shall advertise or otherwise solicit for the purpose of hiring any individual if the hiring of such an individual would be subject to restrictions under this employment stabilization program, except in a manner consistent with such restrictions.

SEC. 16. Hiring. The decision to hire or refer a worker shall be based on qualifications essential for performance of or suitability for the job, and shall be made without discrimination as to race, color, creed, sex, national origin, or except as required by law, citizenship.

The Area Manpower Director may fix for all or any establishments in the Lynn Area, fair and reasonable employment ceilings and allowances, limiting the number of employees or other specified types of employees which such establishments may employ during specified periods. Such ceilings and allowances will be determined on the basis of the establishment's actual labor needs, the available labor supply, and/or the relative urgency of the establishment's products or services to the war effort. Except as authorized by the Area Manpower Director, no employer shall hire any new employee for work in such establishment if the hiring of such employee would result in such establishment's exceeding the employment ceiling or allowance currently applicable to it.

The Federal Government shall be considered as a single essential employer for the purposes of this program, and all hiring for departments and agencies of the Federal Government subject to the Civil Service Act, rules and regulations, shall be conducted by the U. S. Civil Service Commission which shall recruit in accordance with the policies of the War Manpower Commission.

SEC. 17. Representation. Nothing contained in this program shall be construed to restrict any individual from seeking the advice and aid of, or from being represented by, the labor organization of which he is a member or any other representative freely chosen by him, at any step in the operation of the program.

SEC. 18. General referral policies. (a) No provision in this program shall limit the authority of the United States Employment Service or any other governmental agency designated by the War Manpower Commission to make referrals in accordance with approved policies and instructions of the War Manpower Commission.

(b) The Area Manpower Director, after consultation with the Area Management-Labor War Manpower Committee to determine the degree necessary, may adopt certain standards of priority referral of workers to be followed by the United States Employment Service offices located

within the area. Such standards shall be consistent with the policies of the War Manpower Commission and a copy of such standards as are currently in force shall be maintained available for public inspection at each area and local employment office within the area.

SEC. 19. Effective date. This program shall become effective April 1, 1944, and is in substitution for and supersedes the employment stabilization plan in effect prior to such date. It shall, subject to such amendments as the War Manpower Commission may promulgate, continue in effect for six months following the termination of the war, unless sooner terminated by the War Manpower Commission.

Dated: October 24, 1944.

JAMES H. SULLIVAN,
Area Director.

Approved: October 27, 1944.

ARTHUR C. GERNES,
Regional Director.

APPENDIX A—DESIGNATION OF THE LYNN AREA

The Lynn Area is comprised of the territories included in the following cities and towns in the Commonwealth of Massachusetts:

City: Lynn.

Town: Lynnfield, Nahant, Saugus, and Swampscott.

APPENDIX B—CONTROLLED OCCUPATIONS

The following have been designated by the Area Manpower Director for the Lynn Area, with the approval of the Regional Director, as controlled occupations: (none at present).

[F. R. Doc. 44-16770; Filed, Nov. 1, 1944;
10:52 a. m.]

LAWRENCE, MASS., AREA

EMPLOYMENT STABILIZATION PROGRAM

The following employment stabilization program for the Lawrence Area is hereby prescribed, pursuant to § 907.3 (g) of War Manpower Commission Regulation No. 7, "Governing Employment Stabilization Program", effective August 16, 1943 (8 F.R. 11338).

Sec.

1. Purpose.
2. Definitions.
3. Control of hiring and solicitation of workers.
4. Authority and responsibilities of Management-Labor Committee.
5. Encouragement of local initiative and use of existing hiring channels.
6. General.
7. Issuance of statements of availability by employers.
8. Issuance of statements of availability by United States Employment Service.
9. Referral in case of under-utilization.
10. Workers who may be hired only upon referral by the United States Employment Service.
11. Hiring contrary to the program.
12. Exclusions.
13. Appeals.
14. Statements of availability.
15. Solicitation of workers.
16. Hiring.
17. Representation.
18. General referral policies.
19. Effective date.

SECTION 1. Purpose. This employment stabilization program has been adopted in the Lawrence Area, with the

approval of the Regional Director. Its purpose is to assist the War Manpower Commission in bringing about, by measures equitable to labor and management and necessary for the effective prosecution of the war:

(a) The elimination of wasteful labor turn-over in essential activities.

(b) The reduction of unnecessary labor migration.

(c) The direction of the flow of scarce labor where most needed in the war program.

(d) The maximum utilization of manpower resources.

SEC. 2. Definitions. As used in this employment stabilization program:

(a) The "Lawrence Area" is comprised of the territory designated in Appendix A.

(b) "Agriculture" means those farm activities carried on by farm owners or tenants on farms in connection with the cultivation of the soil, the harvesting of crops, or the raising, feeding, or management of livestock, bees and poultry, and shall not include any packing, canning, processing, transportation or marketing of articles produced on farms unless performed or carried on as an incident to ordinary farming operations as distinguished from manufacturing or commercial operations.

(c) "State" includes Alaska, Hawaii, and the District of Columbia.

(d) "New employee" means any individual who has not been in the employment of the hiring employer at any time during the preceding 30 day period. For the purpose of this definition, employment of less than seven days' duration and employment which is supplemental to the employee's principal work shall be disregarded.

(e) "Controlled occupation" means any occupation found by the Area Manpower Director for the Lawrence Area, with the approval of the Regional Director, to be either:

(1) One of a category of occupations in an activity in which manpower shortages threaten critically needed production in such area, or

(2) An occupation in which the demand for workers in such area exceeds the available supply.

A list of the "controlled occupations" designated by the Area Manpower Director is attached to this program as Appendix B and may be amended from time to time by the Area Manpower Director and with the approval of the Regional Director.

(f) "Essential activity" means any activity included in the War Manpower Commission list of essential activities. (9 F.R. 3439)

(g) "Locally needed activity" means any activity approved by the Regional Manpower Director as a locally needed activity.

(h) The terms "employment" and "work" as applied to an individual engaged in principal and supplementary employment means his principal employment.

SEC. 3. Control of hiring and solicitation of workers. All hiring and solicita-

tion of workers, in or for work in, the Lawrence Area shall be conducted in accordance with this employment stabilization program.

This shall include any hiring or solicitation, whether conducted within or outside the area, if the work is to be performed within the area.

SEC. 4. Authority and responsibilities of Management-Labor Committee. The Area Management-Labor War Manpower Committee for the Lawrence Area is authorized to consider questions of policy, standards, and safeguards in connection with administration of this employment stabilization program, and to make recommendations concerning the same to the Area Manpower Director.

It shall be the responsibility of this committee to hear and decide appeals or to delegate such responsibility to an Area Appeals Committee in accordance with regulations of the War Manpower Commission governing appeals.

SEC. 5. Encouragement of local initiative and use of existing hiring channels. The War Manpower Commission shall encourage local initiative and cooperative efforts to the end that the maximum use shall be made of existing hiring channels, such as private employers, labor organizations, professional organizations, schools, colleges, technical institutions and government agencies. This section shall not be interpreted or deemed to be a waiver of any of the provisions of this program.

SEC. 6. General. A new employee, who during the preceding 60-day period was engaged in an essential or locally needed activity, may be hired only if such hiring would aid in the effective prosecution of the war. Such hiring shall be deemed to aid in the effective prosecution of the war only if:

(a) Such individual is hired for work in an essential or locally needed activity or for work to which he has been referred by the United States Employment Service, and

(b) Such individual presents a statement of availability from his last employment in an essential or locally needed activity, or is referred by the United States Employment Service of the War Manpower Commission, or is hired with its consent, as provided herein.

SEC. 7. Issuance of statements of availability by employers. An individual whose last employment is or was in an essential or locally needed activity shall receive a statement of availability from his employer if:

(a) He has been discharged, or his employment has been otherwise terminated by his employer, or

(b) He has been laid off for an indefinite period, or for a period of seven or more days, or

(c) Continuance in his employment would involve undue personal hardship, or

(d) Such employment is or was at a wage or salary or under working conditions below standards established by State or Federal law or regulation, or

(e) Such employment is or was at a wage or salary below a level established or approved by the National War Labor Board (or other agency authorized to adjust wages or approve adjustments thereof) as warranting adjustment, and the employer has failed to adjust the wage in accordance with such level or to apply to the appropriate agency for such adjustment or approval thereof.

SEC. 8. Issuance of statements of availability by United States Employment Service. (a) A statement of availability shall be issued promptly to an individual when any of the circumstances set forth in section 7 is found to exist in his case. If the employer fails or refuses to issue a statement of availability to an individual entitled to such statement, the United States Employment Service of the War Manpower Commission, upon finding that the individual is entitled thereto, shall issue a statement of availability to the individual. Pending such finding the United States Employment Service shall either request the worker to remain on his present job, or to return to it in instances where the worker has voluntarily terminated his employment.

When none of the circumstances set forth in section 7 is found to exist in an individual's case, the United States Employment Service shall attempt to persuade such individual to return to his former employment in an essential or locally needed activity providing the employer will reemploy the worker without prejudice.

(b) A statement of availability shall be issued by the United States Employment Service to any individual in the employ of an employer who the War Manpower Commission finds, after notice, hearing and final decision, has not complied with any War Manpower Commission employment stabilization program, regulation, or policy, or has not made a reasonable effort to comply with a recommendation of a duly authorized representative of the War Manpower Commission with respect to the more effective utilization of labor and for so long as such employer continues his non-compliance after such finding.

An employer who continues to be in non-compliance after notice, hearing and final decision, may not hire any new employee, whether or not such person has a statement of availability.

(c) A temporary statement of availability, valid for a period not in excess of 60 days, may be issued by the United States Employment Service to an individual at his request, who because of seasonal or temporary lay-off is not employed at his customary work. In such cases, an employer may hire such a worker for the period designated in the temporary statement of availability and shall release such worker at the end of such period. Upon release of such a worker, the employer shall not issue a statement of availability to him but shall instruct him to return to his former employment.

Nothing in this section shall be construed to supersede the provisions of section 10 (c).

A temporary statement of availability shall contain in addition to the provisions of the regular form, the words:

The employer hiring the above-named worker shall not retain such worker in his employ after _____ and shall not issue a statement of availability to such worker upon his release.

SEC. 9. Referral in case of under-utilization. If an individual is employed at less than full time or at a job which does not utilize his highest recognized skill for which there is a need in the war effort, the United States Employment Service may, upon his request, refer him to other available employment in which it finds that the individual will be more fully utilized in the war effort.

The United States Employment Service shall, upon the request of an individual, refer him to a former employer when it is found that he has received from such employer with whom he has reemployment rights under an existing collective bargaining agreement, a notice that he must return to his former employment in order to preserve his seniority status.

SEC. 10. Workers who may be hired only upon referral by the United States Employment Service. Under the circumstances set forth below, a new employee may not be hired solely upon presentation of a statement of availability, but may be hired only upon referral by, or in accordance with arrangements with, the United States Employment Service:

(a) The new employee is to be hired for work in a controlled occupation (see Appendix B) or his statement of availability indicates that his last employment was in such an occupation, or

(b) The new employee has not lived or worked in the locality of the new employment throughout the preceding 30-day period (in such cases the local office of the United States Employment Service shall require that the worker obtain a statement of availability from the local office of the United States Employment Service, serving the locality where such worker was most recently employed, except that the latter local office may delegate authority to issue a statement of availability to such a worker in a specific case to the office where the referral is to be made), or

(c) The new employee's last regular employment was in agriculture and he is to be hired for non-agricultural work: *Provided*, That no such individual shall be referred to non-agricultural work, except after consultation with a designated representative of the War Food Administration: *And provided further*, That such an individual may be hired for non-agricultural work for a period of not to exceed six weeks without referral or presentation of a statement of availability.

(d) The new employee is a male worker.

SEC. 11. Hiring contrary to the program. An employer shall, upon written request of the United States Employment Service, promptly release from employment any worker hired in violation of this program.

SEC. 12. Exclusions. No provisions of this employment stabilization program shall be applicable to:

(a) The hiring of a new employee for agricultural employment, or

(b) The hiring of a new employee for work of less than seven days' duration, or for work which is supplementary to the employee's principal work; but such work shall not constitute the individual's "last employment" for the purpose of this program, unless the employee is customarily engaged in work of less than seven days' duration, or

(c) The hiring of an employee in any Territory or possession of the United States, except Alaska and Hawaii, or

(d) The hiring by a foreign, State, county, or municipal government, or their political subdivisions or their agencies and instrumentalities, or to the hiring of any of their employees, unless such foreign, State, county, or municipal government or political subdivision or agency or instrumentality has indicated its willingness to conform, to the maximum extent practicable under the Constitution and laws applicable to it, with the program, or

(e) The hiring of a new employee for domestic service or to the hiring of a new employee whose last regular employment was in domestic service, or

(f) The hiring of a school teacher for vacation employment or the rehiring of a school teacher for teaching at the termination of the vacation period.

SEC. 13. Appeals. Any worker may appeal from any act or failure to act by the War Manpower Commission under this employment stabilization program, in accordance with regulations and procedures of the War Manpower Commission.

SEC. 14. Statements of availability. A statement of availability issued to an individual pursuant to this program shall contain only the individual's name, address, social security account number, if any, the name and address of the issuing employer, or War Manpower Commission officer and office, the date of issuance, a statement as to whether or not the individual's last employment was in a controlled occupation, and such other information not prejudicial to the employee in seeking new employment as may be authorized or required by the War Manpower Commission.

Statements of availability received by any employer pursuant to this program shall be retained during the continuance of this program and for a reasonable time thereafter. They shall be made accessible to the Area Manpower Director or his representative upon request.

SEC. 15. Solicitation of workers. No employer shall advertise or otherwise solicit for the purpose of hiring any individual if the hiring of such an individual would be subject to restrictions under this employment stabilization program, except in a manner consistent with such restrictions.

SEC. 16. Hiring. The decision to hire or refer a worker shall be based on qualifications essential for performance

of or suitability for the job, and shall be made without discrimination as to race, color, creed, sex, national origin, or except as required by law, citizenship.

The Area Manpower Director may fix for all or any establishments in the Lawrence Area, fair and reasonable employment ceilings and allowances, limiting the number of employees or other specified types of employees which such establishments may employ during specified periods. Such ceilings and allowances will be determined on the basis of the establishment's actual labor needs, the available labor supply, and/or the relative urgency of the establishment's products or services to the war effort. Except as authorized by the Area Manpower Director, no employer shall hire any new employee for work in such establishment if the hiring of such employee would result in such establishment's exceeding the employment ceiling or allowance currently applicable to it.

The Federal Government shall be considered as a single essential employer for the purposes of this program, and all hiring for departments and agencies of the Federal Government subject to the Civil Service Act, rules and regulations, shall be conducted by the U. S. Civil Service Commission which shall recruit in accordance with the policies of the War Manpower Commission.

SEC. 17. Representation. Nothing contained in this program shall be construed to restrict any individual from seeking the advice and aid of, or from being represented by, the labor organization of which he is a member or any other representative freely chosen by him, at any step in the operation of the program.

SEC. 18. General referral policies. (a) No provision in this program shall limit the authority of the United States Employment Service or any other governmental agency designated by the War Manpower Commission to make referrals in accordance with approved policies and instructions of the War Manpower Commission.

(b) The Area Manpower Director, after consultation with the Area Management-Labor War Manpower Committee to determine the degree necessary, may adopt certain standards of priority referral of workers to be followed by the United States Employment Service offices located within the area. Such standards shall be consistent with the policies of the War Manpower Commission and a copy of such standards as are currently in force shall be maintained available for public inspection at each Area and Local Employment Office within the area.

SEC. 19. Effective date. This program shall become effective April 1, 1944, and is in substitution for and supersedes the employment stabilization plan in effect prior to such date. It shall, subject to such amendments as the War Manpower Commission may promulgate, continue in effect for six months following the termination of the war, unless

sooner terminated by the War Manpower Commission.

Dated: October 24, 1944.

JAMES H. SULLIVAN,
Area Director.

Approved: October 27, 1944.

ARTHUR C. GERNES,
Regional Director.

APPENDIX A—DESIGNATION OF THE LAWRENCE AREA

The Lawrence Area is comprised of the territories included in the following cities and towns in the Commonwealth of Massachusetts:

City: Lawrence;
Town: Andover, Methuen and North Andover.

APPENDIX B—CONTROLLED OCCUPATIONS

The following have been designated by the Area Manpower Director for the Lawrence Area, with the approval of the Regional Director, as controlled occupations: (none at present).

[F. R. Doc. 44-16769; Filed, Nov. 1, 1944;
10:52 a.m.]

ALTOONA, PA., AREA

EMPLOYMENT STABILIZATION PLAN

JULY 1, 1944.

In furtherance of the war effort and for the purpose of achieving the most effective utilization of the services of labor in essential and locally needed activities, the Area Director of the War Manpower Commission for Area VII, which includes all of the following counties: Bedford, Blair, Bradford, Cambria, Cameron, Center, Clearfield, Elk, Fulton, Huntingdon, Jefferson, Juniata, McLean, Mifflin, Potter and Tioga Counties, and parts of the following counties: Somerset County (Conemaugh and Paint townships), and Benson, Paint and Windber boroughs) and Westmoreland County (St. Clair township and New Florence and Seward boroughs), with the concurrence of the Local Management-Labor Committees, and pursuant to the authority granted by WMC Regulation 7, with the approval of the Regional Director of Region III of the War Manpower Commission, hereby establishes the following plan for Area VII with respect to the stabilization of employment throughout the area.

Sec.

1. Control of hiring and solicitation of workers.
2. Establishment, approval, and adaptation of area plan.
3. Minimum standards.
4. To provide for employment ceiling and/or allowance control.
5. Existing contracts.
6. Advertising.
7. Advance notice of lay-offs.
8. Limited statements of availability.
9. Request to remain on or return to a job.
10. Optional provisions.
11. Definitions.

SECTION 1. Control of hiring and solicitation of workers. All hiring and solicitation of workers in, or for work in Area VII, shall be conducted in accordance with the provisions of this employment stabilization plan.

SEC. 2. Establishment, approval, and adaptation of area plans—(a) General. This employment stabilization plan is effective July 1, 1944.

(b) Adaptation to meet area or local conditions. This plan may be adopted as the need arises to meet changing area or local conditions by the Area Manpower Director after consultation with the appropriate Local Management-Labor Manpower Committees: *Provided*, That such adaptations are not in conflict with minimum national standards as set forth in Regulation 7, and with area standards set forth in this plan: *And provided further*, That such adaptations are approved by the Regional Director.

(c) Management-Labor Manpower Committee. Local Management-Labor Manpower Committees within Area VII are hereby authorized to consider questions of policy, standards and safeguards in connection with the establishment and administration of this plan, and to make recommendations on these subjects to the Area Director.

SEC. 3. Minimum standards—(a) General. A new employee, who during the preceding 60-day period was engaged in an essential or locally needed activity, may be hired only if such hiring would aid in the effective prosecution of the war. Such hiring shall be deemed to aid in the effective prosecution of the war only if:

(1) Such individual is hired for work in an essential or locally needed activity or for work to which he has been referred by the United States Employment Service, and

(2) Such individual presents a Statement of Availability from his last employment in an essential or locally needed activity, or is referred by the United States Employment Service of the War Manpower Commission, or is hired with its consent, as provided herein.

(b) Issuance of statements of availability by employers. An individual whose last employment is or was in an essential or locally needed activity shall receive a statement of availability from his employer if:

(1) He has been discharged, or his employment has been otherwise terminated by his employer, or

(2) He has been laid off for an indefinite period, or for a period of seven or more days, or

(3) Continuance of his employment would involve undue personal hardship, or

(4) Such employment is or was at a wage or salary or under working conditions below standards established by State or Federal law or regulation, or

(5) Such employment is or was at a wage or salary below a level established or approved by the National War Labor Board (or other agency authorized to adjust wages or approve adjustments thereof) as warranting adjustment, and the employer has failed to adjust the wage in accordance with such level or to apply to the appropriate agency for such adjustment or approval thereof.

(c) Issuance of statements of availability by United States Employment Service. (1) A statement of availability shall be issued promptly to an individual when any of the circumstances set forth in subsection B is found to exist in his case. If the employer fails or refuses to issue a statement, the United States Employment Service of the War Manpower Commission, upon finding that the individual is entitled thereto, shall issue a statement of availability to the individual.

(2) A statement of availability shall be issued by the United States Employment Service to any individual in the employ of an employer who, the War Manpower Commission finds, after notice, hearing and final decision, has not complied with any War Manpower Commission Employment Stabilization Plan, regulation or policy, and for so long as such employer continues his non-compliance after such finding.

(d) Referral in case of under-utilization. If an individual is employed at less than full time or at a job which does not utilize his highest recognized skill for which there is a need in the war effort, the United States Employment Service, may, upon his request, refer him to other available employment in which it finds that the individual will be more fully utilized in the war effort.

(e) Workers who may be hired only upon referral by the United States Employment Service. A new employee may not be hired solely upon presentation of a statement of availability, but may be hired only upon referral by, or with the consent of, the United States Employment Service when:

(1) The new employee is to be hired for work in a critical occupation, or his statement of availability indicates that his last employment was in a critical occupation.

(2) The new employee has not lived or worked in the locality of the new employment throughout the preceding 30-day period.

(3) The new employee's last regular employment was in agriculture and he is to be hired for non-agricultural work provided that no such individual shall be referred to non-agricultural work except after consultation with a designated representative of the War Food Administration, and provided that such an individual may be hired for non-agricultural work for a period not to exceed six weeks without referral or presentation of a statement of availability.

(4) The new employee is a male worker.

(f) Exclusions. No provision of the employment stabilization plan shall be applicable to:

(1) The hiring of a new employee for agricultural employment;

(2) The hiring of a new employee for work of less than seven days' duration, or for work which is supplementary to the employee's principal work; but such work shall not constitute the individual's "last employment" for the purposes of the program, unless the employee is customarily engaged in work of less than seven days' duration;

(3) The hiring of an employee in any Territory or possession of the United States, except Alaska and Hawaii;

(4) The hiring by a foreign, State, county, or municipal government, or their political subdivisions, or their agencies and instrumentalities, or the hiring of any of their employees, unless such foreign, State, county, or municipal government, or political subdivision or agency or instrumentality has indicated its willingness to conform, to the maximum extent practicable under the Constitution and laws applicable to it, with the program;

(5) The hiring of a new employee for domestic service, or to the hiring of a new employee whose last regular employment was in domestic service;

(6) The hiring of a school teacher for vacation employment or the rehiring of a school teacher for teaching at the termination of the vacation period;

(7) The hiring of a veteran of World War II during the 60-day period following the first day of civilian employment subsequent to separation from the Armed Forces.

(g) *Appeals.* Any worker or employer may appeal from any act or failure to act by the War Manpower Commission under this employment stabilization plan, in accordance with regulations and procedures of the War Manpower Commission.

(h) *Content of statements of availability.* A statement of availability issued to an individual pursuant to this plan shall contain only the individual's name, address, social security account number, if any, the name and address of the issuing employer, or War Manpower Commission officer and office, and date of issuance, a statement as to whether or not the individual's last employment was in a critical occupation, and such other information not prejudicial to the employee in seeking new employment as may be authorized or required by the War Manpower Commission.

(i) *Solicitation of workers.* No employer shall advertise or otherwise solicit for the purpose of hiring any individual if the hiring of such an individual would be subject to restrictions under this employment stabilization plan, except in a manner consistent with such restrictions.

(j) *Hiring.* The decision to hire or refer a worker shall be based on qualifications essential for performance of or suitability for the job, and shall be made without discrimination as to race, color, creed, sex, national origin, or, except as required by law, citizenship.

(k) *Representation.* Nothing contained in the plan shall be construed to restrict any individual from seeking the advice and aid of, or from being represented by, the labor organization of which he is a member or any other representative freely chosen by him, at any step in the operation of this plan.

(l) *General referral policies.* No provision in the program shall limit the authority of the United States Employment Service to make referrals in accordance with approved policies and instructions of the War Manpower Commission.

SEC. 4. To provide for employment ceiling and/or allowance control. The Area Manpower Director may fix for all

or any establishments in Area VII, fair and reasonable employment ceilings and/or allowances, limiting the number of employees, or specified types of employees, which such establishments may employ during specified periods. Such ceilings and/or allowances will be determined on the basis of establishments' actual labor requirements, the available labor supply, and/or the relative urgency of establishments' products or services to the war effort. Except as authorized by the Area Manpower Director, no employer shall hire any new employee if the hiring of such employee would result in the establishment's exceeding the employment ceiling and/or manpower allowance currently applicable to it.

SEC. 5. Existing contracts. Nothing in this plan shall be construed to prejudice existing seniority rights of an employee under any agreement with his employer.

SEC. 6. Advertising. Employer's advertisements for employees are required to meet the following conditions:

(a) Indicate clearly that employees now employed in essential activity cannot be considered without a statement of availability.

(b) When the advertisement for employees does not include reference to the use of the facilities of the United States Employment Service of the War Manpower Commission by the employer, the employer's name must appear.

(c) Advertisements for employees possessing skills which appear on the list of critical occupations are prohibited unless they provide for exclusive referral by or with the consent of the United States Employment Service.

SEC. 7. Advance notice of lay-offs. Employers are required when possible to provide at least three days advance notice shall contain a statement as to the Service whenever a lay-off of ten or more employees will occur and such notice shall contain a statement as to the number of employees to be laid off by occupation.

SEC. 8. Limited statements of availability. Limited statements of availability specifying a particular date on which employees shall be returned to their previous employer shall be issued by the United States Employment Service of the War Manpower Commission whenever, in the judgment of the appropriate Area Manpower Director, the best interests of the war effort will be served by such action: *Provided*, That such action is agreeable to both the employer and employees involved, *And provided further*, That such limited statements of availability shall not be issued for a period longer than 3 months.

SEC. 9. Request to remain on or return to a job. The United States Employment Service of the War Manpower Commission shall request any employee to return to or remain on his job and shall request any employer to retain such employee in his employ:

(a) Pending any determination on the employee's request for a statement of availability.

(b) Pending decision on the employee's appeal from a determination denying him a statement of availability.

(c) Upon a final determination that the employee is not entitled to a statement of availability.

SEC. 10. Optional provisions. Area Manpower Directors after consultation with their Management-Labor Manpower Committees and approval by the Regional Director may include in area Employment Stabilization Plans optional provisions such as those outlined in § 907.5 of Regulation 7, which are designed to meet special manpower needs in the localities affected, but, except as authorized in § 907.5 (a) (5) of Regulation 7, no such provision shall conflict with section 3 of this plan or with any State or Federal Law.

SEC. 11. Definitions. As used in this plan:

(a) "Agriculture" means those farm activities carried on by farm owners or tenants on farms in connection with the cultivation of the soil, the harvesting of crops, or the raising, feeding, or management of livestock, bees, and poultry, and shall not include any packing, canning, processing, transportation or marketing of articles produced on farms unless performed or carried on as an incident to ordinary farming operations as distinguished from manufacturing or commercial operations.

(b) "New employee" means any individual who has not been in the employment of the hiring employer at any time during the preceding 30-day period. For the purpose of this definition, employment of less than seven days' duration and employment which is supplemental to the employee's principal work shall be disregarded.

(c) "Critical occupation" means any occupation designated as a critical occupation by the Chairman of the War Manpower Commission.

(d) "Essential activity" means any activity included in the War Manpower Commission List of Essential Activities. (9 F.R. 3439)

(e) "Locally needed activity" means any activity approved by the Regional Manpower Director as a locally needed activity.

(f) The terms "employment" and "work" as applied to an individual engaged in principal and supplementary employments mean his principal employment.

(g) "Employment stabilization plan" includes any arrangement involving restrictions on separation or hiring of workers, whether through issuance of statements of availability, referral by the United States Employment Service or otherwise.

JOHN W. MARTIN,
Area Director.

Approved: October 22, 1944.

FRANK L. MCNAMEE,
Regional Director.

[F. R. Doc. 44-16768; Filed, Nov. 1, 1944;
10:53 a. m.]

READING, PA., AREA

EMPLOYMENT STABILIZATION PROGRAM

The following employment stabilization program for the Reading Area is hereby prescribed, pursuant to § 907.3 (g) of War Manpower Commission Regulation No. 7, "Governing Employment Stabilization Programs," effective August 16, 1943 (8 F.R. 11338).

Sec.

1. Control of hiring and solicitation of workers.
2. Establishment, approval and adaptation of area plan.
3. Minimum standards.
4. Existing contracts.
5. Advertising.
6. Advance notice of lay-offs.
7. Limited statements of availability.
8. Request to remain on or return to a job.
9. Employment ceiling and/or allowance control.
10. Definitions.

In furtherance of the war effort and for the purpose of achieving the most effective utilization of the services of labor in essential and locally needed activities, the Area Director of the War Manpower Commission for the Reading Area, which comprises the County of Berks, 15.6% of Montgomery County and 8.6% of Chester County in Pennsylvania with the concurrence of the Area War Manpower Committee, pursuant to the authority granted by War Manpower Commission Regulation 7 hereby establishes the following plan for the area with respect to the stabilization of employment throughout the area.

SECTION 1. Control of hiring and solicitation of workers. All hiring and solicitation of workers in, or for work in, the Reading Area of Region III shall be conducted in accordance with the provisions of this employment stabilization plan.

SEC. 2. Establishment, approval and adaptation of area plan—(a) New area plan. In consultation with the Reading Area Management-Labor Manpower Committee, this employment stabilization plan has been adopted, September 2, 1943.

This Reading Area plan has been approved by the Regional Director of the War Manpower Commission and shall be effective as of September 17, 1943, except section 3 (e) (4), which shall be effective as of June 22, 1944.

SEC. 3. Minimum standards—(a) General. A new employee, who during the preceding 60-day period was engaged in an essential or locally needed activity, may be hired only if such hiring would aid in the effective prosecution of the war. Such hiring shall be deemed to aid in the effective prosecution of the war only if:

(1) Such individual is hired for work in an essential or locally needed activity or for work to which he has been referred by the United States Employment Service, and

(2) Such individual presents a statement of availability from his last employment in an essential or locally needed activity, or is referred by the United States Employment Service of the War

Manpower Commission, or is hired with its consent, as provided herein.

(b) *Issuance of statements of availability by employers.* An individual whose last employment is or was in an essential or locally needed activity shall receive a statement of availability from his employer if:

(1) He has been discharged, or his employment has been otherwise terminated by his employer, or

(2) He has been laid off for an indefinite period, or for a period of seven or more days, or

(3) Continuance of his employment would involve undue personal hardship, or

(4) Such employment is or was at a wage or salary or under working conditions below standards established by State or Federal law or regulation, or

(5) Such employment is or was at a wage or salary below a level established or approved by the National War Labor Board (or other agency authorized to adjust wages or approve adjustments thereof) as warranting adjustment, and the employer has failed to adjust the wage in accordance with such level or to apply to the appropriate agency for such adjustment or approval thereof.

(c) *Issuance of statements of availability by United States Employment Service.* (1) A statement of availability shall be issued promptly to an individual when any of the circumstances set forth in subsection (b) is found to exist in his case. If the employer fails or refuses to issue a statement, the United States Employment Service of the War Manpower Commission, upon finding that the individual is entitled thereto, shall issue a statement of availability to the individual.

(2) A statement of availability shall be issued by the United States Employment Service to any individual in the employ of an employer who, the War Manpower Commission finds, after notice, hearing and final decision, has not complied with any War Manpower Commission employment stabilization plan, regulation or policy, and for so long as such employer continues his non-compliance after such finding.

(d) *Referral in case of under-utilization.* If an individual is employed at less than full time or at a job which does not utilize his highest recognized skill for which there is a need in the war effort the United States Employment Service may, upon his request, refer him to other available employment in which it finds that the individual will be more fully utilized in the war effort.

(e) *Workers who may be hired only upon referral by the United States Employment Service.* A new employee may not be hired solely upon presentation of a statement of availability, but may be hired only upon referral by, or with the consent of, the United States Employment Service when:

(1) The new employee is to be hired for work in a critical occupation, or his statement of availability indicates that his last employment was in a critical occupation.

(2) The new employee has not lived or worked in the locality of the new em-

ployment throughout the preceding 30-day period.

(3) The new employee's last regular employment was in agriculture and he is to be hired for non-agricultural work provided that no such individual shall be referred to non-agricultural work except after consultation with a designated representative of the War Food Administration, and provided that such an individual may be hired for non-agricultural work for a period not to exceed six weeks without referral or presentation of a statement of availability.

(4) The new employee is a male worker.

(f) *Exclusions.* No provision of the employment stabilization plan shall be applicable to:

(1) The hiring of a new employee for agricultural employment;

(2) The hiring of a new employee for work of less than seven days' duration, or for work which is supplementary to the employee's principal work; but such work shall not constitute the individual's "last employment" for the purposes of the program, unless the employee is customarily engaged in work of less than seven days' duration;

(3) The hiring of an employee in any Territory or possession of the United States, except Alaska and Hawaii;

(4) The hiring by a foreign, state, county, or municipal government, or their political subdivisions, or their agencies and instrumentalities, or the hiring of any of their employees, unless such foreign, state, county, or municipal government, or political subdivision or agency or instrumentality has indicated its willingness to conform, to the maximum extent practicable under the Constitution and laws applicable to it, with the program;

(5) The hiring of a new employee for domestic service, or to the hiring of a new employee whose last regular employment was in domestic service;

(6) The hiring of a school teacher for vacation employment or the rehiring of a school teacher for teaching at the termination of the vacation period.

(g) *Appeals.* Any worker or employer may appeal from any act or failure to act by the War Manpower Commission under this employment stabilization plan, in accordance with regulations and procedures of the War Manpower Commission.

(h) *Content of statements of availability.* A statement of availability issued to an individual pursuant to this plan shall contain only the individual's name, address, social security account number, if any, the name and address of the issuing employer, or War Manpower Commission officer and office, the date of issuance, a statement as to whether or not the individual's last employment was in a critical occupation, and such other information not prejudicial to the employee in seeking new employment as may be authorized or required by the War Manpower Commission.

(i) *Solicitation of workers.* No employer shall advertise or otherwise solicit for the purpose of hiring any individual if the hiring of such an individual would be subject to restrictions under this em-

ployment stabilization plan, except in a manner consistent with such restrictions.

(j) *Hiring.* The decision to hire or refer a worker shall be based on qualifications essential for performance of or suitability for the job, and shall be made without discrimination as to race, color, creed, sex, national origin, or except as required by law, citizenship.

(k) *Representation.* Nothing contained in this plan shall be construed to restrict any individual from seeking the advice and aid of, or from being represented by, the labor organization of which he is a member or any other representative freely chosen by him, at any step in the operation of this plan.

(l) *General referral policies.* No provision in the program shall limit the authority of the United States Employment Service to make referrals in accordance with approved policies and instructions of the War Manpower Commission.

SEC. 4. Existing contracts. Nothing in this plan shall be construed to prejudice existing seniority rights of an employee under any agreement with his employer.

SEC. 5. Advertising. Employer's advertisements for employees are required to meet the following conditions:

(a) Advertising shall not be of a nature which will have a disruptive effect upon the labor market in a particular area, including either the publication of wage rates which induce turnover and piracy or the solicitation of workers by employers outside an area except through arrangements with the United States Employment Service of the War Manpower Commission.

(b) Advertisements should state clearly that employees now employed in essential activity cannot be considered without a statement of availability.

(c) Advertisements should state clearly that before employers hire employees possessing skills which appear on the List of critical occupations, clearance must be obtained from the United States Employment Service.

SEC. 6. Advance notice of lay-offs. Employers are required when possible to provide at least three day advance notice to the United States Employment Service whenever a lay-off of ten or more employees will occur and such notice shall contain a statement as to the number of employees to be laid off by occupations.

Sec. 7. Limited statements of availability. Limited statements of availability specifying a particular date on which employees shall be returned to their previous employer shall be issued by the

United States Employment Service of the War Manpower Commission, whenever, in the judgment of the appropriate Area Manpower Director, the best interests of the war effort will be served by such action: *Provided*, That such action is agreeable to both the employer and employees involved: *And provided further*, That such limited statements of availability shall not be issued for a period longer than 3 months.

SEC. 8. Request to remain on or return to a job. The United States Employment Service of the War Manpower Commission shall request any employee to return to or remain on his job and shall request any employer to retain such employee in his employ:

(a) Pending any determination on the employee's request for a statement of availability.

(b) Pending decision on the employee's appeal from a determination denying him a statement of availability.

(c) Upon a final determination that the employee is not entitled to a statement of availability.

SEC. 9. Employment ceiling and/or allowance control. The Area Manpower Director may fix for all or any establishments in the Reading Area, fair and reasonable employment ceiling and/or allowances, limiting the number of employees or specified types of employees, which such establishments may employ during specified periods. Such ceilings and/or allowances will be determined on the basis of establishments' actual labor requirements, the available labor supply, and/or the relative urgency of establishments' products or services to the war effort. Except as authorized by the Area Manpower Director, no employer shall hire any new employee if the hiring of such employee would result in the establishment's exceeding the employment ceiling and/or manpower allowance currently applicable to it.

SEC. 10. Definitions. As used in this plan: (a) "Reading Area." This Area also known as Area Number 2, of Region III of the War Manpower Commission comprises the following:

County	Percent of county
Berks.....	100
Montgomery.....	15.6
Pottstown Borough, Upper Hanover Township.	
Lower Pottsgrove Township, East Greenville Borough.	
Limerick Township, West Pottsgrove Township.	
Roxbury Borough, Perkiomen Township.	
Upper Pottsgrove Township, Schwenksville Borough.	
Douglass Township, Marlboro Township.	

County	Percent of county
Montgomery—Continued.	
New Hanover Township, Greenlane Borough.	
Red Hill Borough, Upper Frederick Township.	
Pennsbury Borough, Lower Frederick Township.	
Chester.....	8.6
North Coventry Township.	
East Coventry Township.	
South Coventry Township.	
Spring City Borough.	
East Vincent Township.	

(b) "Agriculture" means those farm activities carried on by farm owners or tenants on farms in connection with the cultivation of the soil, the harvesting of crops, or the raising, feeding, or management of livestock, bees, and poultry, and shall not include any packing, canning, processing, transportation or marketing of articles produced on farms unless performed or carried on as an incident to ordinary farming operations as distinguished from manufacturing or commercial operations.

(c) "New employee" means any individual who has not been in the employment of the hiring employer at any time during the preceding 30-day period. For the purpose of this definition, employment of less than seven days' duration and employment which is supplemental to the employee's principal work shall be disregarded.

(d) "Critical occupation" means any occupation designated as a critical occupation by the Chairman of the War Manpower Commission.

(e) "Essential activity" means any activity included in the War Manpower Commission List of Essential Activities. (9 F.R. 3439)

(f) "Locally needed activity" means any activity approved by the Regional Manpower Director as a locally needed activity.

(g) The terms "employment" and "work" as applied to an individual engaged in principal and supplementary employments mean his principal employment.

(h) "Employment stabilization plan" includes any arrangement involving restriction on separation or hiring of workers, whether through issuance of statements of availability, referral by the United States Employment Service or otherwise.

Dated: July 5, 1944.

ALBERT I. HIPPLE,
Area Director.

Approved: August 17, 1944.

FRANK L. McMANUS,
Regional Director.

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